

AGENDA ROXBORO CITY COUNCIL MEETING
TUESDAY, MAY 14, 2019 at 7:00 P.M.
CITY HALL COUNCIL CHAMBER

CALL TO ORDER	Mayor Marilyn P. Newell
INVOCATION:	Police Chief David Hess
PLEDGE OF ALLEGIANCE:	Mayor Marilyn P. Newell
AGENDA ADOPTION:	Mayor Marilyn P. Newell
CONSENT AGENDA	Mayor Marilyn P. Newell
Minutes	
Fire Department	
Police Department	
Public Services Department	
Fuel Expenditures	
Planning/URG Report	
RECOGNITIONS: Proclamation – Chi Chapter Day Resolution – Peace Officers Week	
PUBLIC COMMENT: <i>(5 minutes per Citizen)</i>	Mayor Marilyn P. Newell
PUBLIC HEARINGS AND ORDINANCE MATTERS:	
1. Budget Amendment	Finance Director Dan Craig
2. Text Amendment – Parking – Set Public Hearing	City Manager Brooks Lockhart
3. Demolition Ordinance – 122 Main Circle- Public Hearing	Planning Director Lauren Johnson
4. Special Activity Ordinance – Set Public Hearing	Planning Director Lauren Johnson
NEW BUSINESS:	
5. Satterfield Farm Sub-division	Planning Director Lauren Johnson
6. Resolution Local Water Supply Plan	Public Services Director Andy Oakley
7. Request for Memorial	City Manager Brooks Lockhart
OLD BUSINESS:	
8. Revision of the Dan River Local Agreement	City Manager Brooks Lockhart
COMMITTEE REPORTS	Mayor Marilyn P. Newell
ADMINISTRATIVE REPORTS:	
9. Financial & Tax Report	Finance Director Dan Craig
10. Assistant Manager's Report	Assistant Manager Tommy Warren
11. Manager's Report	City Manager Brooks Lockhart
COUNCIL DISCUSSION:	
CLOSED SESSION: Per NCGS 143.318.11(a)(1) Attorney/Client Privilege	
ADJOURNMENT: Motion	Second

Consent Agenda

CITY OF ROXBORO, NC Consent Agenda

The Regular meeting of the Roxboro City Council was held in the Council Chamber of City Hall at 7:00 p.m. Tuesday, May 14, 2019.

The following members of the Roxboro City Council were present:

The following members of the Roxboro City Council were absent:

Mayor Marilyn P. Newell presented the consent agenda and asked if any item should be added or removed before calling for action. After some discussion, a **motion was offered by _____ to approve the Consent Agenda as presented with a second by _____** upon being put to a vote, was carried unanimously.

- Minutes of April 2, 2019 (*Special Meeting*)
- Minutes of April 9, 2019 (*Regular Meeting*)
- Minutes of April 10, 2019 (*Budget Session*)
- Fire/EMS Monthly Report (*April 2019*)
- Police Dept. Monthly Report (*April 2019*)
- Public Services Monthly Report (*April 2019*)
- Fuel Expenditures Monthly Report (*April 2019*)
- Planning/RDG Monthly Report (*April 2019*)

Trevie Adams, MMC/NCCMC
City Clerk

Mission Statement: "To create an inviting environment with opportunities that will add value to the Community of Roxboro"

**MINUTES/MEETING OF THE ROXBORO CITY COUNCIL
TUESDAY, APRIL 2, 2019 – 6:00 P.M. SPECIAL PLANNING MEETING
CITY COUNCIL CHAMBERS, CITY HALL, ROXBORO, NC**

Members Present: Mayor Marilyn P. Newell
Mayor Pro Tem Tim Chandler
Council Member Reggie Horton
Council Member Mark Phillips
Council Member Sandy Stigall

Members Absent: Council Member Byrd Blackwell

Others Present: City Manager Brooks Lockhart
Assistant Manager Tommy Warren
Finance Director Dan Craig
City Clerk Trevie Adams

CALL TO ORDER:

Mayor Marilyn P. Newell called the meeting to order at 6:00 p.m. welcoming everyone in attendance.

AGENDA ADOPTION:

Mayor Marilyn P. Newell presented the agenda asking for any additions or corrections and there being none, **Council Member Sandy Stigall offered a motion to approve the agenda as presented with a second by Council Member Reggie Horton** and upon being put to a vote was carried unanimously. **Mayor Pro Tem Tim Chandler offered a motion to excuse Council Member Byrd Blackwell due to illness with a second by Council Member Reggie Horton** and upon being put to a vote was carried unanimously.

Items for Discussion:

• **Strategic Planning Discussion and Updating**

City Manager Brooks Lockhart provided the Mayor and Council with a streamlined update to the Strategic Plan as discussed at the March Work Session. The document features two appendices, while keeping the framework of the other goals in place.

Suggested Strategies included:

- Participate in the bi-annual litter sweep program - Mr. Lockhart stated that the City would provide gloves and vest for participants. Staff will try to come up with some dates for the City to participate in this annual event.
- Image building for the City as an organization - The Mayor and Council would like to see all City logos updated on all the vehicles. This would make City vehicles more recognizable.
- Updating Brochures for the marketing of City Services – staff is in the process of updating brochures.
- Marketing for the City as a destination for young families, retirees, commercial businesses and professionals (beyond what is done by EDC for industrial recruitment purposes) - this item was put on hold at this time.
- Updates to City gateways (relocated to accurate city limits and improvements for visual appeal) – the Mayor and Council would like to partner with civic organizations (i.e. Rotary Club, Ruritan Club, etc.), for help with this project.
- Sidewalk improvements city-wide (understood this is a money issue, but with the poverty levels and lack of vehicle ownership it is an issue) – Council would like for staff to see if any CMAQ are available.

- Planning for and finding creative solutions to the housing issues (revisiting alternative housing options and determining what role the City can play in improving availability). After some discussion, this item will be on hold for more information.
- Improving the relationship between the City and the small business community (outside of Uptown) – Mayor and Council discussed the possibility of including RAMA and Madison Boulevard businesses in Uptown events and projects.
- Investigation of best-signage practices and how the City can mediate the need to spread the work of community events, without creating aesthetic and safety issues along the streets (possible community message board) – the Mayor and Council discussed several ideas and would like to provide signage for the community events in designated areas. This would be an on-going project and would need more information about the best solutions regarding signage.
- Incorporating Departmental Planning Documents into this document by reference or by listing objectives (5 year CIP, Police Strategic Plan, etc.) –Council would like to discuss this matter at the fall meeting.
- Evaluate the cost of curbside recycling – to be discussed during budget sessions.

Council Discussion: None at this time.

There being no further business to discuss, Council Member Sandy Stigall offered a motion to adjourn this meeting at 8:45 p.m. with a second by Council Member Mark Phillips and upon being put to a vote was carried unanimously.

Submitted By:

Trevie Adams, MMC/NCCMC
City Clerk

April 2, 2019

**MINUTES/MEETING OF THE ROXBORO CITY COUNCIL
TUESDAY, APRIL 9, 2019 – 7:00 P.M. CITY COUNCIL MEETING
CITY HALL IN THE COUNCIL CHAMBERS - ROXBORO, NC**

Members Present: Mayor Marilyn P. Newell
Mayor Pro-Tem Tim Chandler
Council Member Mark Phillips
Council Member Byrd Blackwell
Council Member Reggie Horton
Council Member Sandy Stigall

Members Absent:

Others Present: City Manager Brooks Lockhart
Asst. City Manager Tommy Warren
City Attorney Nick Herman

CALL TO ORDER:

Mayor Marilyn P. Newell called the meeting to order at 7:00 p.m. welcoming everyone in attendance. **Public Services Director Andy Oakley** provided the invocation.

PLEDGE OF ALLEGIANCE:

Mayor Marilyn P. Newell led Council and those in attendance in reciting the Pledge of Allegiance to the Flag.

AGENDA ADOPTION:

Mayor Marilyn P. Newell presented the agenda and asked that the Closed Session NCGS 1443.318.11(a)(4) Economic Development be added to the agenda. **Mayor Pro Tem Tim Chandler** offered a motion to approve the agenda adding the Closed Session as requested by the Mayor with a second by Council Member Mark Phillips and upon being put to a vote was carried unanimously.

CONSENT AGENDA ADOPTION:

Mayor Marilyn P. Newell presented the consent agenda and asked if anyone had any comments. A motion was offered by Council Member Mark Phillips to approve the consent agenda as presented with a second by Council Member Byrd Blackwell, and upon being put to a vote, was carried unanimously.

RECOGNITIONS:

PUBLIC COMMENT:

Mayor Marilyn P. Newell invited anyone interested in addressing Council to sign-up for the public record and to limit his/her comments to five minutes.

1) Ms. Kara Roberts of 2910 Laws Store Rd., Hurdle Mills, N.C. (teacher for Roxboro Community School) along with two students from RCS, John Tatum and Carly Grinstead, asked for the Mayor and Councils support in trying to get the NCDOT to install two crosswalks at Foushee Street and Depot Street to make it safer for students to cross.

2) Mr. Neal Bowes of 2165 Halifax Road, Roxboro, NC, representing the Person County Historical Society would like approval to place a granite marker to mark where an old cemetery is located off of Satterfield Road behind the City Parking Lot.

3) **Mr. Alfred Palmer of 114 S. Morgan Street** offered concerns about loud mufflers on vehicles traveling on Morgan Street.

PUBLIC HEARINGS & ORDINANCE MATTERS:

1. Budget Amendment

Finance Director Dan Craig presented Council with Budget Amendment #5. **After a brief discussion, Council Member Mark Phillips offered a motion to approve Budget Amendment #5 as presented with a second by Mayor Pro Tem Tim Chandler upon being put to a vote was carried unanimously. Clerk's Note: A copy of said budget amendment is hereby incorporated into the minutes of this meeting.**

2. Rezoning Request – 804 N. Madison Boulevard – *Public Hearing*

Mayor Marilyn P. Newell opened the Public Hearing at 7:20 p.m. Planning Director Lauren Wrenn presented the Mayor and Council with a rezoning request for 804 N. Madison Boulevard from SWARAJCHAND Corporation. The property, identified as Tax Map and Lot number 6 38C, constitutes a .34 acre tract of land along Highway 501 on the northern segment in Roxboro. The property is currently zoned PUD for Planned Unit Development and is the former location of Suntrust Bank. The applicant would like the property rezoned to B-1, Highway Commercial, for commercial use. The surrounding properties are zoned PUD (Planned Unit Development) and B-1 (Commercial).

It is staff's opinion that this rezoning is consistent with the Future Land Use Plan. Not only is this property located in what is the established highway commercial district of the City of Roxboro, but it is also surrounded by other B-1 Zoned properties. Staff feels confident in stating that the only reason this property is not already zoned B-1, is simply the result of inclusion in the development of the larger shopping center (a planned unit development) and not changing in use for many years.

Mrs. Johnson encouraged the board to remember that rezoning request reviews should take into consideration all uses allowed within the respective zoning district and reference the directives of the Future Land Use Plan. Furthermore, as a legislative decision, comments provided by the public regarding this matter may be influential in making a determination.

Mayor Newell asked for any public comment at this time and there being none, closed the Public Hearing at 7:26 p.m. After a brief discussion, Mayor Pro Tem Tim Chandler offered a motion that the rezoning request presented in Docket #RZ2019-02 be approved and in doing so, adopt the plan consistency statement as presented below:

“The proposed amendment is consistent with the City's Comprehensive Land Use Plan in that it:

- **Allows for the opportunity of a well-planned commercial establishment to provide necessary goods and services to area employers and residents;**
- **Encourages commercial growth in an appropriate location that is compatible with the established character of the area; and**
- **Provides for orderly development along an existing major transportation route.**

Furthermore, this decision is in the public interest of the City of Roxboro because it maintains consistency in the use of the highway commercial district”, with a second by Council Member Mark Phillips and upon being put to a vote was carried unanimously.

3. Demolition Ordinance – 146 Clayton Street – *Public Hearing*

Mayor Marilyn P. Newell opened the Public Hearing at 7:28 p.m. Planning Director Lauren Johnson reported to Council on June 2, 2016, the City of Roxboro Code Administrator conducted a thorough inspection of the dwelling located on the property identified in the Person County Tax Records as Record Number 12225, Tax Map 61, Lot 17 and PIN 0907-08-97-5746.000 and have a street address of 146 Clayton Street. Said Property is owned by Joey Layden Long, as evidenced by that deed recorded in the Person County Registry at Deed Book 353, Page 648.

Mrs. Johnson also stated that a sibling of Mr. Joey Long had come forward but did not have any information on the whereabouts of Mr. Long and only had a phone number that he did not offer. The sibling had said that he may be interested in taking on responsibility for the property but as of the date of this meeting, no one had contacted Mrs. Johnson regarding this matter.

Mayor Newell asked if anyone from the public would like to speak on this matter at this time and there being no one, closed the Public Hearing at 7:35. After some discussion, **Council Member Sandy Stigall offered a motion to approve the ordinance ordering the City of Roxboro Code Administrator to proceed to effectuate the purposes of the Roxboro Minimum Housing Standards Code and G.S. §160A-443 as presented, with a second by Mayor Pro Tem Tim Chandler** and upon being put to a vote was carried unanimously.

4. Demolition Ordinance – 830 S. Main Street– *Public Hearing*

Mayor Marilyn P. Newell opened the Public Hearing at 7:43 p.m. Planning Director Lauren Johnson reported to Council that on September 21, 2017 the City of Roxboro Code Administrator conducted a thorough inspection of the dwelling, located on the property identified in the Person Count Tax Records as Record Number 12372, Tax Map 18, Lot 34 and PIN 0905-10-37-4461.000 and have a street address of 830 S. Main Street. Said Property is owned by Marion L. Chambers and wife, Sheila Harris Chambers, as evidenced by that deed recorded in the Person Count Registry at Deed Book 581, Page 630. As of today’s date, April 9, 2019, the owners have made no attempts to resolve this matter.

Mayor Newell asked if anyone from the public would like to speak on this matter at this time and there being no one, closed the Public Hearing at 8:47 p.m. After some discussion, **Council Member Mark Phillips offered a motion to approve the ordinance ordering the City of Roxboro Code Administrator to proceed to effectuate the purposes of the Roxboro Minimum Housing Standards Code and G.S. §160A-443, with a second by Council Member Reggie Horton** and upon being put to a vote was carried unanimously.

NEW BUSINESS:

5. Offer to Purchase – Corner of Barnette Avenue and Broad Street

Assistant Manager Tommy Warren presented the Mayor and Council with a request to purchase the vacant lot located on the southwest corner of Barnette Avenue and Broad Street. The lot is approximately 7,800 sq. ft. and has a tax value of \$7,410.00. The lot is further identified as Tax Map 10-23, Record Number 16478.

J. Reginald Horton has made an offer to purchase the lot for \$3,000.00 and made a 10% deposit with the City Clerk. The lot is zoned Residential R-6. This requires a minimum lot size of 6,000 sq. ft. The City acquired the lot in 1980 from Olivia W. Phillips and Charles A. Speas Phillips as recorded in Deed Book 164-498.

If City Council is willing to consider this offer, the city will have to advertise the offer and allow ten days for anyone to upset the offer. If the original offer is upset, the city will advertise the upset bid and allow another ten days for another upset offer. This continues until there are no more bids received. After this process, City Council may accept the highest bid and sell the property. In addition, City Council may at any time reject any and all offers.

Council Member Reggie Horton asked to abstain from voting on this matter. **Mayor Pro Tem Tim Chandler** offered a motion to approve that **Mr. Horton abstain from voting on this matter with a second by Council Member Mark Phillips** and upon being put to a vote was carried unanimously. After a brief discussion, **Council Member Sandy Stigall** offered a motion to approve the offer to purchase as presented with a second by **Mayor Pro Tem Tim Chandler** and upon being put to a vote was carried unanimously.

6. 2019 Fireworks Contract

City Manager Brooks Lockhart presented the Mayor and Council with the 2019 Fireworks Contract that will be held on Thursday, July 4th with a provision for a rain date if needed to be scheduled within six months. The proposed contract is for \$10,500, utilizing the same firm from previous years.

A letter requesting support from the County Commissioners was submitted in the first week of April. Director's Roundtable has begun promotions for a BBQ fundraiser on April 26, 2019 to raise funds for the fireworks display.

After some discussion, **Mayor Pro Tem Tim Chandler** offered a motion to approve the contract as presented with a second by **Council Member Mark Phillips** and upon being put to a vote was carried unanimously.

OLD BUSINESS:

7. Revision of Verizon Contract

City Manager Brooks Lockhart reported to the Mayor and Council that staff had a request from Verizon to delay the implementation of the current contract until January 2020. The effective date in the current contract was June 1, 2019 or when Verizon installed equipment, whichever is soonest.

Continuing, Mr. Lockhart stated that Verizon is aware of the City's intention to utilize the lease proceeds to offset the expense of the Tower Modification. Verizon has made the generous offer to execute a one-time payment of \$10,000 to the City for modifying the contract starting date to become effective January 1, 2020.

The rough approximation outline of potential lead times for the modifications offered by Tower Engineering Professions are as follows:

- Design underway
- Council Approval for Modification Contract
- 6 weeks for materials

- 4 weeks for construction
- Verizon Lease term to begin January 1, 2020

After some discussion, **Council Member Mark Phillips offered to approve the revision of the Verizon Contract as presented and accepting the one-time payment of \$10,000 offered by Verizon with a second by Council Member Byrd Blackwell** and upon being put to a vote was carried unanimously.

Committee Reports:

Mayor Marilyn P. Newell asked for any committee reports at this time.

- Mayor Pro Tem Tim Chandler reported that United Way is still behind in their target donations.
- Mayor Marilyn P. Newell reported that the Economic Development Commission has been very busy and hopes to have more information to share in the near future.

ADMINISTRATIVE REPORTS

8. Financial & Tax Report

Finance Director Dan Craig presented Council with Financial reports for months ending February 28, 2019 and tax reports for March 31, 2019. **Clerk's Note: A copy of said financial and tax report is hereby incorporated into the minutes of this meeting.**

9. Assistant Manager's Report

Assistant Manager Tommy Warren updated the Mayor and Council on the Wastewater Treatment Plant upgrade. The contractor is now only 15 days behind schedule. According to the contract for weather delays, the contractor is entitled to a 54-day extension. The current schedule has the Oxidation Ditch and Office/Lab Building to be online by December 11, 2019. After the Oxidation Ditch is up and running, the aeration basins can be taken out of service and work on them can begin.

The Water Treatment Plant is in the process of replenishing the anthracite in the filters. Anthracite is a type of charcoal that helps remove impurities from the water. Each time a filter is backwashed a little bit of the anthracite is washed away, so every few years it has to be added to maintain the required level. There are three filters at the plant and the contractor is doing one filter a week. After the anthracite is added, the filter must be disinfected and pass a bacteria test before it can be put back in service.

Hydrostructures, the company that has been doing the I&I work for the City, applied for a grant with the state to study the I&I problem in the City's sewer collection system. They were notified last week that the grant was awarded to the City. The grant will require a 5% match and is estimated to be for \$150,000.

4. Manager's Report

Please take note of several upcoming dates.

- Budget Work Session #1, 6:00 p.m. April 10, 2019 at City Hall
- Director's Roundtable Fireworks Bar-B-Que Sale is April 26, 2019 at Furniture Mart Parking Lot, Pre-order by April 19, 2019
- Safety Awards Banquet, Thursday May 30, 2019 at Homestead Steakhouse
- Budget Work Session #2 and #3, dates TBA

Forms have been sent out to citizens that would like to participate in "TylerNotify". This would alert customers by phone/text or both of any outages or emergency notifications or

the citizen can opt for no notification. Staff has requested that the forms be returned by April 15, 2019.

Staff has not completed reaching out to the businesses in the B3 Zoning District regarding trash collection policies. The B3 zoning district does not require building setbacks and commercial trash must be considered in this context. Staff will be collecting information and intends to bring an updated draft before Council at the May meeting.

Continuing, Mr. Lockhart reported that staff is working to follow up on concepts discussed at Council's Strategic Planning Meeting. Council should expect updates on a few items soon. Some concepts discussed will make their way into the upcoming budget planning. Mr. Lockhart asked for suggested dates for the next budget sessions. After some discussion, it was the consensus of Council to meet on Tuesday, May 21, 2019 at 6:00 pm and Tuesday, May 28, 2019 at 6:30 pm.

COUNCIL DISCUSSION:

Mayor Newell recognized Council Member Byrd Blackwell and congratulated him on his retirement and thanked him for the great dinner and reception held in his honor on Saturday, April 6, 2019.

CLOSED SESSION:

Council Member Reggie Horton offered a motion to enter into closed session per NCGS 143.318.11(a)(1) Attorney/Client Privilege and 143.318.11(a)(4) Economic Development with a second by Council Member Mark Phillips and upon being put to a vote was carried unanimously.

Mayor Pro Tem Tim Chandler offered a motion to re-enter into open session with a second by Council Member Mark Phillips and upon being put to a vote was carried unanimously.

ADJOURNMENT:

There being no further business to discuss, **A motion was offered by Mayor Pro Tem Tim Chandler with a second by Council Member Mark Phillips to adjourn this meeting** and, upon being put to a vote, was carried unanimously. Meeting adjourned at 9:40 p.m.

Submitted by:

Trevie Adams, MMC/NCCMC
City Clerk

April 9, 2019

**MINUTES/MEETING OF THE ROXBORO CITY COUNCIL
TUESDAY, APRIL 10, 2019 – 6:00 P.M. BUDGET MEETING
CITY COUNCIL CHAMBERS, CITY HALL, ROXBORO, NC**

Members Present: Mayor Marilyn P. Newell
Mayor Pro Tem Tim Chandler
Council Member Reggie Horton
Council Member Mark Phillips
Council Member Sandy Stigall

Members Absent: Council Member Byrd Blackwell

Others Present: City Manager Brooks Lockhart
Assistant Manager Tommy Warren
Finance Director Dan Craig
City Clerk Trevie Adams

CALL TO ORDER:

Mayor Marilyn P. Newell called the meeting to order at 6:00 p.m. welcoming everyone in attendance.

AGENDA ADOPTION:

Mayor Marilyn P. Newell presented the agenda asking for any additions or corrections and there being none, **Council Member Mark Phillips offered a motion to approve the agenda as presented with a second by Mayor Pro Tem Tim Chandler** and upon being put to a vote was carried unanimously. **Mayor Pro Tem Tim Chandler offered a motion to excuse Council Member Byrd Blackwell due to illness with a second by Council Member Reggie Horton** and upon being put to a vote was carried unanimously.

Items for Discussion:

Budget Workshop Presentation

City Manager Brooks Lockhart presented the Mayor and Council with a slide presentation for capital purchase lead time, insurance, Local Government Employees' Retirement System (LGERS) contribution adjustment, proposed Legislation, Special Events Protocol and Recycling.

1) *Capital Purchase Lead Times* – Mr. Lockhart informed the Mayor and Council that large truck order lead times have been averaging between 12 to 18 months (this has been driven by demand for Chassis). Staff would like to recommend we incorporate a new budget line to accommodate these cross over purchases going forward.

2) *Insurance – Property and Liability* – the Property and Liability Pool rates will be flat, but the City of Roxboro can expect an approximate 10% increase based on the city's increased experience modifier. Experience Modifier is based on five year claim cycle and in FY 18/19 the City's Modifier was 0.977 (a 7% rate decrease from the prior year). In FY 19/20 the City's Modifier will be 1.206. The City of Roxboro has a Safety Committee that evaluates all incidents; at this time, no new internal trends have emerged to explain this increase. Property Claims filed against the City also impact this experience modifier.

3) *Insurance – Worker's Comp* – the City of Roxboro can expect an approximate decrease of \$7,500 based on the City's decreased experience modifier (this is based on a three year claim cycle).

4) *Insurance – Employee Health* – the Health Insurance Claims for 2018 were below ratio for the first time in six years. The Municipal Insurance Trust has voted to give the City no increase in rates and will give additional consideration next year if the trend continues.

5) *LGER Contribution Adjustment* – in February 2019, the LGERS Board (Local Government Employees' Retirement System) voted to implement an Employer Contribution Rate Stabilization Policy. This will increase .25%.

6) *Proposed Legislation* – Mr. Lockhart read HB 0431 Fiber NC Act that states: Authorizes local governments to build broadband infrastructure and lease those assets to one or more non-governmental entities. Includes procedures, the local government must follow to advertise the opportunity for leasing this infrastructure, as well as steps the local government must take prior to leasing. This would be good for Roxboro/Person and we need to support our ally on this measure.

- **HB 0278/SB 0179 Parity for First Responders** states: Creates a new “special separation allowance” retirement benefit for full-time paid firefighters and rescue squad workers employed by local governments and state agencies. For qualifying employees, the benefit would be paid upon retirement until the employee reached age 62, died, or was re-employed by another local government. The benefit would equal 0.85 percent of the “annual equivalent of the base rate of compensation most recently applicable to the firefighter or rescue squad worker for each year of creditable service” in the applicable employer-sponsored retirement plan. Additionally, the benefit would be paid by the employer from which the employee retired. The filed version of this bill does not include a funding mechanism to assist local government employers in paying for this benefit.

The League's official stance on these bill are: concern over a lack of funding mechanism, local governments will foot the bill, the creation of another special class of employee, and this legislation hampers the ability of local governments to provide benefits to all employees like an across the board 401K match.

- **HB 0396 Municipal Local Option Sales Tax** states: Creates new authority for cities statewide to levy a quarter-cent municipal-only sales tax, pursuant to voter approval. Allows the proceeds of this sales tax to be spent for construction and improvements to: public infrastructure, public facilities, affordable housing, economic development, and police, fire, and rescue services.
- **HB 0520 Firefighters Fighting Cancer Act** states: Creates in statute a new presumption that if a paid, part-time, or volunteer firefighter within a local government fire department is diagnosed with of nine listed cancers, the disease was caused by the firefighter's occupation. Unless rebutted by the unit of local government, this determination entitles the firefighter to worker's compensation coverage to pay for the cancer treatments. To qualify for this presumption, the firefighter must submit to a physical examination upon entering service with the local government unit as a firefighter, and that examination must not reveal evidence of any of the listed cancers. The firefighter must also complete at least five years of service as a firefighter with that unit of local government to qualify for the presumption. The proposal also lays out the standard of proof for the local government to meet in rebutting this presumption.
- **HB 0146 Living Wage by 2024** – introduces an annual increase to the minimum wage with a \$15/hour wage effective in 2024. Has provisions for an annual COLA to the

Minimum Wage beyond 2024. If implemented sometime in the future, it would impact 15-20 positions.

7) *Uptown Activities Protocol* – an increase in requests for uptown activities include newer events that have been smaller in scope and are anchored by the popularity of uptown businesses. More businesses are requesting more regular use of the sidewalk/parking lots adjacent to their buildings, for special events/activities. Staff would like to create a pathway to administratively allow approval of small activities not located in public streets. Currently, the uptown events protocol (revised in 2016) includes requests to reserve/close public area (streets, sidewalks, and parking areas), administered by Planning and Development staff and may require a public hearing for Council approval. The current policy has provisions for reoccurring events, (i.e. 4th of July parade, Homecoming parade, etc.) to waive public hearing requirement after initial approval by Council. Free speech events are administered by the Police Department, food trucks are treated as a temporary land use and regulated in the Unified Development Ordinance. Merritt Commons can be used without reservations, but is on a first come first serve basis unless it has been reserved.

8) *Recycling* – staff is gathering information for grant information, possible partnership, and a cost analysis is underway. One Foundation offering zero percent interest and financing for 10 years has been identified. More information will be given for Council review at a later date.

Council Discussion: None at this time.

There being no further business to discuss, Council Member Sandy Stigall offered a motion to adjourn this meeting at 7:40 p.m. with a second by Mayor Pro Tem Tim Chandler and upon being put to a vote was carried unanimously.

Submitted By:

Trevie Adams, MMC/NCCMC
City Clerk

April 10, 2019



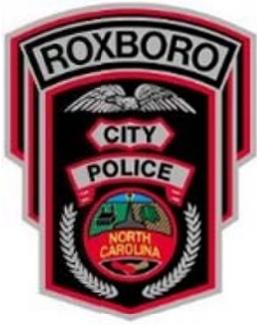
City of Roxboro
Fire and Rescue Department

Date: May 8, 2019
To: Mayor Newell
Roxboro City Council
From: Kenneth M. Torain, Fire Chief

Highlight

- **Responses** - During the month of April the City of Roxboro Fire Department responded to 7 fire calls and 93 ems calls. During the month we also responded to 7 hazardous Conditions and 8 service calls. Over the course of April we responded to 105 calls in the city and 38 in county plus 16 mutual aid calls. Nineteen percent of the time we had two or more calls going at the same time with a total of 1 full alarm.
- **Fire Prevention** Roxboro Fire Department have fire prevention month twice per year, which most only do the month of October. The month of April is our second month that it is done. During April we visited Learn and Play Academy, Key Foundations, Progressive Learning Academy II, PCC Preschool, Lester's Toddler Care, Creative Days, Early Intervention, Roxboro Baptist, Mother Goose, Earl Bradsher, Long Memorial, Person County Senior Center, Canterbury House, Person County Group Home Presentation and Earl Bradsher Station Tour,
- **Marketing The Department** The Department was ask to travel outside our district to setup for a job fair at Lamberth Church. During the event we carried the Smoke House and truck to promote what the department does and to educate the members of what to do if fire strikes.
- **Easter Egg Hunt** The department helped Parks and Recreation with keeping the kids safe during the Easter Egg Hunt at Hucks Sansbury. Our job was to keep the parents from picking up all the eggs and not running over the small kids.
- **Earl Bradsher Car Safety Seat Clinic** Roxboro Fire Department is the permanent Checking Station for Person County. Using seats that we were granted with to help during the event. We checked a lot of seats and issued a lot of them to parents who seats were in disrepair.
- **Child Safety Seat Recertification** Roxboro Fire Department has hosted the recertification since 2007. Again this year the class was held at Station One with technicians coming from around the state to get recertified. We had six technicians to get recertified during the event, Chief Torain, Bill Gentry, Brandy Horton, Brent Wrenn and Shawn Bradsher

105 Court St.
Roxboro, North Carolina 27573



ROXBORO POLICE DEPARTMENT



109 North Lamar Street
Roxboro, North Carolina 27573

Office 336 599 8345

www.cityofroxboro.com

City Council Report

April 2019

Patrol Division

Highlighted Events

- Lt. Dickerson worked with a Property Owner in Ca-Vel Village to have illegal debris removed from a property.
- All four new hire officers successfully completed Field Training and released to solo Patrol.
- We extend our appreciation to Somerset Baptist Church for trimming trees and shrubs and spreading mulch at the police department on Saturday, April 27th. Their volunteerism really spruced up the property.

Community Policing

- Lt. Dickerson conducted a safety meeting at Union Bank and completed a CPTED evaluation turned in to Corporate.
- Lt. Walker and Sgt. Ford participated in the South Elementary School's Fish Fry fundraiser. They played corn hole with children and provide give-a-ways for visitors.
- Evidence Custodian Tanya Thomas and Sgt. Cash hosted a Drug Drop site at Wal-Mart in conjunction with the DEA's National Drug Take Back event. The department collected 32 lbs 11 ounces of unused/unwanted/expired prescription pills.
- Several officers participated in the 911 Appreciation video for National Telecommunicator Week.
- Hosted Property Owner Collobrative.





- Deputy Chief Hawkins and family participated in the Community Clean Sweep event.
- Hosted Coffee with a Cop at Rox City Grill.
- Chief, Deputy Chief and Lt. Hughes attended the Lee Gardens Ribbon Cutting ceremony.

January 2019 Monthly Activities

Calls for Service: 1768

Traffic Enforcement Requests: 29

Traffic Crashes: 53

Total Arrests: 85

Directed/Foot Patrol: 427

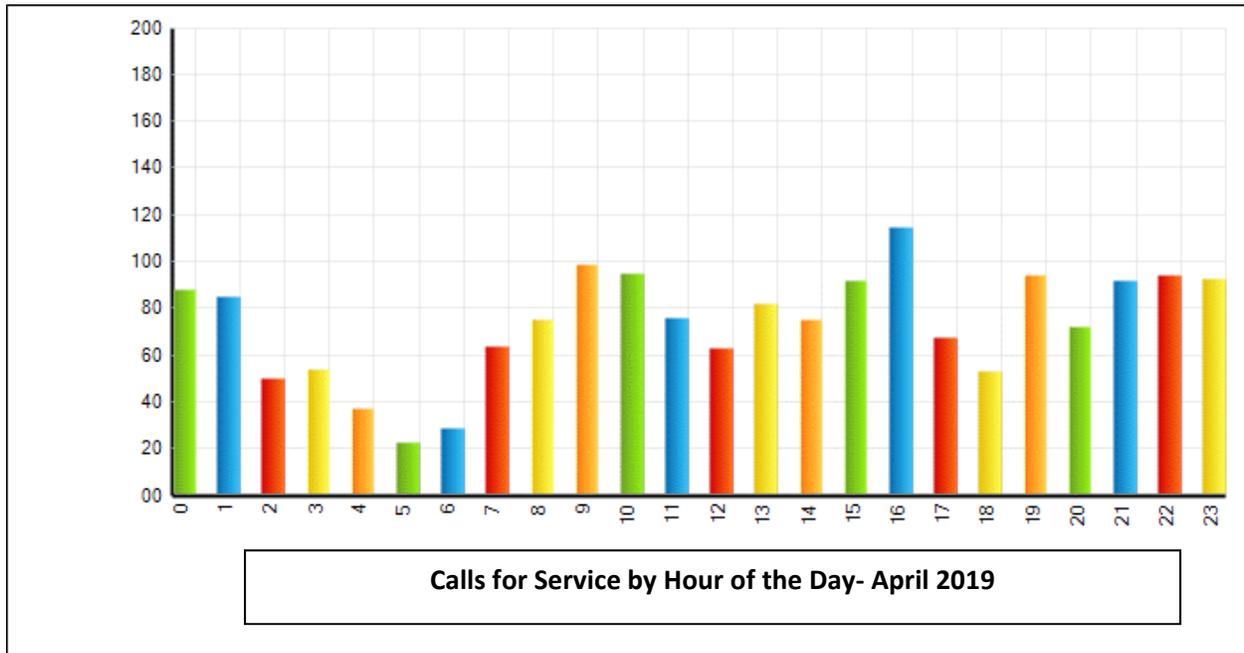
Incident Reports: 188

Traffic Stops: 487

Citations Issued: 137

Warnings: 119

K-9 Utilizations: 12 & 1 Demo



Criminal Investigations Division

- Investigators arrested and charged two juveniles with armed robbery of a pizza delivery driver. No one was injured.
- Investigators located and arrested two wanted persons from an armed robbery in March.
- Investigators made several arrests and/or obtained warrants in several cases this month.

Total Numbers for the Month

Cases Assigned: 32
Hours Completing Paperwork: 120
Call Outs: 8
Felony Warrants Obtained: 22
Total Arrests: 12
Cases Closed: 13
Forensic Processing Hours: 6
Search Warrants Executed: 4

Follow Up Hours in the Field: 90
Follow Up Hours by Phone: 50
Out of Town Follow Ups: 3
Misdemeanor Warrants Obtained: 8
Interviews Conducted: 20
Total Forensics Cases: 8
Court Hours: 33

Street Crimes Unit

- SCU has several active investigations yielding positive results.
- Assisted two local agencies with operations.
- A covert operation of a local convenience store resulted in numerous drug charges.

Administrative Services Unit

- Lt. Walker received a letter of appreciation from a local Boy Scout troop.
- The department received 90 traffic cones through GHSP points.
- Spoke with a citizen on Old Durham Road to initiate a Community Watch group. Effort ongoing.
- Completed hiring process for current vacancy.
 - Nicholas Reed accepted a conditional offer for trainee police officer.
 - Pending successful completion of hiring protocols, he will attend BLET at Vance Granville in August.
- Evidence Custodian Tanya Thomas completed evidence destruction protocols for 331 criminal cases.

Administration

Meetings

- Daily meetings with Command Staff.
- Completed monthly Risk Management Accreditation review.
- Attended NCFBINAA spring training conference.

- Meetings: City Manager; Finance Director; Human Resources; PAAL Board; DA's Office; Sheriff Jones; Person Memorial CEO; Chief District Court Judge; UNC Traffic Safety research team and GHSP Director; NCDOJ Job Task Analysis committee; Various NC Chiefs Association business; IACP Teleconference update on our department's progress toward 100% certified staff in mental health/crisis response; Two concerned citizens; Budget Planning; Department Head; Staff meeting; Personality planning;
- Community Engagement: Provided a CPETD Assessment for Beulah Baptist Association; Attended Lee Garden ribbon cutting ceremony; Attended Coffee with a Cop; Rotary; Attended Councilman Blackwell's retirement celebration; Attended Elder Clyde Winstead's ministry retirement celebration; visited Tar Heel, Miracle's Barbershop, Dollar General businesses; participated RCS Senior Speech judge; mailed letters to Ministerial Alliance and Minority churches announcing Barbershop Uncut series;
- Congratulations to Deputy Chief Jimmy Hawkins, Lieutenant Chris Dickerson and Lieutenant Ricky Hughes who received their FBI LEEDA Trilogy award. This highly sought after national leadership training program provides 120 hours of leadership training. To earn the award, participants must complete the FBI-LEEDA's Supervisor Leadership Institute, Command Leadership Institute and Executive Leadership Institute. They received their award at the National Conference. They become the first employees in the department to complete this prestigious training.

****Upcoming Events****

- Coffee with a Cop: Stuart's Family Grille. Wednesday, May 15th from 8:30-9:30 AM
- Hosting NC Gang Investigators Regional meeting. Wednesday, May 15th 1030 AM-1 PM
- Strut Master's Community Day: Saturday, May 18th 10 AM-2 PM. PD will have a booth set up.
- Barbershop Uncut: Miracle's Barbershop. Monday, May 20th from 6-7 PM.



THANK YOU FOR YOUR CONTINUED SUPPORT

Public Services Department Monthly Report



City of Roxboro

April 2019

Public Utilities Department		Public Works Department																																																								
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City of Roxboro, North CLM
 Distribution of Gas Tick
 31-Mar-19

WD
 CS
 GC
 Lawn Mowers
 Weed Eaters
 Chain Saws
 Gas Cans, ETC.

Shell
 Account Number: 80-001-3945-4

Card Number	Dept Number	Make	Model	Gallons	Gas		0.02 per gallon Discount	4.00% 4.00% Discount	Net Cost	Average Cost Per Gallon
					Diesel	Total Cost				
Summary										
1	4120	City Hall		19.21	45.89	0.38	0.77	44.74	2.389	
2	4130	Finance		-	-	-	-	-	#DIV/0!	
3	4160	Public Buildings		124.31	305.67	2.49	4.97	298.21	2.459	
4	4180	Purchasing		-	-	-	-	-	#DIV/0!	
17	4910	Planning & Zoning		7.79	18.63	0.16	0.31	18.16	2.392	
		Total Administrative		151.31	370.19	3.03	6.05	361.11	2.447	
5	4310	Police		1,907.02	4,588.05	38.14	76.28	4,473.63	2.406	
6	4311	CID		92.29	219.07	1.85	3.69	213.53	2.374	
26	4312	Narcotics		-	-	-	-	-	#DIV/0!	
9	4380	Animal Control		-	-	-	-	-	#DIV/0!	
		Total Police		1,999.31	4,807.12	39.99	79.97	4,687.16	2.404	
7	4340	Fire		1,160.68	2,950.21	23.21	46.43	2,880.57	2.542	
8	4341	Fire Inspections		45.51	108.23	0.91	1.82	105.50	2.378	
		Total Fire Dept.		1,206.19	3,058.44	24.12	48.25	2,986.07	2.536	
10	4510	Public Services		76.08	181.02	1.52	3.04	176.46	2.379	
11	4511	Streets		309.24	851.75	6.18	12.37	833.17	2.754	
12	4512	Street Cleaning		-	-	-	-	-	#DIV/0!	
13	4513	Garage		30.34	90.00	0.61	1.21	88.18	2.966	
14	4710	Residential Garbage		978.92	2,896.59	19.58	39.16	2,837.85	2.959	
15	4711	Commercial Garbage		779.32	2,316.53	15.59	31.17	2,269.77	2.973	
16	4740	Cemetery		109.13	320.64	2.18	4.37	314.09	2.938	
		Total Public Services		2,283.03	6,656.53	45.66	91.32	6,519.52	2.916	
		Total General Fund		5,639.84	14,892.28	112.80	225.59	14,553.86	2.641	
18	7112	Meter Reading		277.26	703.02	5.55	11.09	686.38	2.536	
19	7114	Lake Warden		51.51	122.48	1.03	2.06	119.39	2.378	
25	7118	Pump Stations		-	-	-	-	-	#DIV/0!	
20	7120	Water Plant		77.29	187.58	1.55	3.09	182.94	2.427	
21	7121	Water Line Maintenance		638.65	1,641.15	12.77	25.55	1,602.83	2.570	
22	7130	WWTP		86.45	205.44	1.73	3.46	200.25	2.376	
23	7131	Sewer Line Maintenance		515.38	1,251.12	10.31	20.62	1,220.20	2.428	
24	7132	WWTP II		46.78	110.10	0.94	1.87	107.29	2.354	
		Total Enterprise Fund		1,693.32	4,220.89	33.87	67.73	4,119.29	2.493	
		Total All Funds		7,333.16	19,113.17	146.66	293.33	18,673.15	2.606	



May 2, 2019

To: Mayor Newell
Roxboro City Council

From: Lauren Johnson, Planning & Development Director

Subject: May Council Report

Uptown Development Group:

- Rox N' Roll Cruise-In Series: We are excited to have our first cruise-in right around the corner! We continue to finalize things with Dreamworks Motorsports and our other sponsors to make this another fun, exciting event series.
- 2019 Sponsorship Drive: The sponsorship campaign for program support continues. Council's support is very much appreciated whether that is in the form of a contribution, or by reaching out to friends, coworkers, or area businesses. Business, organizations, and individuals are encouraged to contact Lynda Clayton to pledge their support for Uptown Roxboro this year.
- Uptown Events: It was voted by the URG Board to consume the following annual activities from Directors Roundtable (which was never a legal entity and was dissolved): BBQ Fundraiser for Fireworks in April, coordination of the 4th of July Parade on Main & Jingle on Main in December. The group of individuals/businesses that assisted with the "DRT" events will work as a committee to assist the Uptown Roxboro Group in continuing to make the events a success.
- Uptown Developments:
 - We welcome Attorney Carolyn Thompson to Reams Avenue. The Barnett's have provided a vibrant face-lift to this building and continue to work on the building adjacent. They have submitted an Uptown Rehabilitation Incentive Grant Application.
 - Eplus Thrift has been purchased by Carolyn Oakley and I have reached out to her about re-facing the front of those buildings, removing the black painted façade.
 - The "Pub" located beside Black Creek Brewery should be completed and inspections approved by the end of May.
 - Uptown Roxboro Group continues to work closely with the Chamber of Commerce & Tourism to provide additional information on our area. We have had discussions on how to collaborate and make a "welcome packet".



Planning & Development:

- **GIS Training:** The Person County GIS Director has graciously agreed to conduct some informal training for the Planning Director regarding GIS software capabilities. The Planning Director hopes to implement some of these capabilities into mapping and demographic analysis to assist with planning efforts, as well as data mapping for departmental guidance. The GIS Department plays an important role in the functions of the Planning Department, and staff looks forward to learning new ways to optimize office efficiency through this partnership.
- **School of Government Training:** An upcoming UNC School of Government course will be attended by a member of the City's Board of Adjustment. Planning staff shared information of this upcoming training with all board members, but only one was able to attend. This training is geared toward Quasi-Judicial decision making, and will aid board members in understanding the rules of procedure for such hearings, as well as learn new legislative requirements for decision making and record keeping.
- **Desert Sands Redevelopment:** Staff held a conference call with Jeremy Anderson of Coulter, Jewell, Thames, PA regarding the construction drawings for the Desert Sands Redevelopment. Based on the review of the plans, progress appears to be on-track for submitting requests for bids in June or July. Provided the bids come in around the anticipate cost, staff hopes to begin construction in late summer. Additionally, staff has submitted information for other grants to assist with project funding. However, many of these will not be decided until July, when budgets are finalized. More updates to come, as staff moves forward.
- **Hazard Mitigation Planning:** The City of Roxboro and Person County government have recently requested to join the Eno-Haw Hazard Mitigation Plan for the upcoming year. Our current plan, will expire in April 2020, so members of the Person County and City Planning staff are working with Doug Young from the Person County Department of Emergency Services to serve as representatives in the planning process for the new joint plan. The Eno-Haw Regional Hazard Mitigation Plan will include Alamance, Durham, Orange, and Person counties, as well as their respective municipalities. A conference call took place on April 24th to schedule the kick-off meeting for this process. That date has not yet been decided, but will likely be at the end of May. The City and County will be required to have two residents, unaffiliated with the local government, serve on the planning panel. If you know of anyone that may be interested, please have them contact the Planning & Development Director.

Additional Updates:

- Attended Council Budget Session on April 10th and met with City Manager to review budget requests April 16th.



City of Roxboro

Special Event Permit Application

Special Event Applications shall be submitted to the City of Roxboro no later than sixty (60) days prior to the event date, unless the event does not require a public hearing.* When a public hearing is unnecessary, applications shall be submitted no later than thirty (30) days prior to the event date. (Incomplete applications may increase the permit processing time.) If a Public Hearing is required for your application, you will be notified of the date, time and location of the hearing. There is a \$50.00 fee for all public hearings.

*Special Events not requiring a public hearing include (i) observations of national holidays (ii) annually recurring special events, which do not exceed two (2) hours and for which no admission fee is charged, and (iii) events hosted, in-part, by the City of Roxboro.

I. Applicant Information:

Organization: Uptown ROXBORO Group

Address: 105 S. Lamar Street City: Roxboro State: NC Zip Code: 27573

Daytime Phone Number: 336-322-6019 Cell Number: 336-504-9644 Email: director@uptownroxboro.com

Primary Contact: Lynda Clayton

Address: 105 S. Lamar Street City: Roxboro State: NC Zip Code: 27573

Daytime Phone Number: 336-322-6019 Cell Number: 336-504-9644 Email: director@uptownroxboro.com

II. General Event information:

Please provide the common name by which the event is to be known.

4th of July Parade - may be given a "theme" later

Please select the type of event:

- Parade
- Run/Walk Race
- Concert
- Ceremony
- Festival/Street Fair
- Other _____

Please provide a brief description of the purpose of the proposed event:

Parade in uptown Roxboro celebrating Independence Day

Please indicate the following:

- a. Proposed Event Date(s): 7/4/2019
- b. Proposed Time Period(s) of the Event: 8am - 1pm
- c. Location of Event: Assembly at Museum, parading down main st, finish at Meritt Commons.
- d. Approximate Number of People to Attend the Event: 500-1000

Please provide a general description of the activities planned during the event.

Approx. 70 parade entries will parade from Morehead Street, down Main Street to Meritt Commons lot.

Please list below any request for special services to be provided by the City, such as Police, Fire, Public Service Personnel/Equipment, etc. (any fees are the responsibility of the individual/organizer of said event):

- Police: needed to block streets during parade.
- Fire: _____
- Public Service (i.e., streets or portions of streets to be closed and for what period, etc.): _____
- Other: _____

III. Venue Details:

Please indicate any streets, parking lots, or public access areas to be closed during this event, as well as the location of any barriers, traffic control devices, etc. (a map showing the event area and all barricades is also required):

Main Street at Morehead, Reams, Depot, Court, Abbitt & Gordon.

Specify number of:

1 Goods/Food Vendors * may include animals _____ Animals _____ Recreational equipment (i.e. bounce house, rides, etc.)

Are you serving/selling food at your event? (Y) / N *possibility

*If yes, contact the Person County Environmental Health Office to be sure all necessary permits and/or documentation are obtained.

Are you serving/selling alcohol at your event? Y / **(N)**

*If yes, be sure the perimeters of the area(s) are clearly marked, and the entrance to the area(s) shall be constructed so as to allow ready control of patrons, including the viewing of identification to prevent underage persons from being permitted in the area(s). Area(s) must be located at least 150 feet from any church, mosque, synagogue or other place of worship. Be aware, **no alcoholic beverages may be sold or consumed as a part of a special event outside of the designated area(s).** Prior to the opening of the special event, the person in charge of the event shall ensure that any and all necessary state or other permits relating to the sale and consumption of alcoholic beverages have been secured. Such permits must be available for inspection by City staff at any time. (Keep on site during the Special Event.)

Please indicate which of the following staging items will be used during your event:

- Loud speakers
- Bleachers
- Stage(s)
- Dance Floor
- Microphones
- Live Entertainment
- Other: possible noise from cars/floats

Please indicate the size and location of any signs, banners, flags, or other attention-getting devices for this event:

None other than in parade.

Please provide copies of the following with the completed application:

- a. Proof of Liability Insurance for event
- b. ABC permit(s)*
- c. Person County Environmental Health Department permit(s)/license(s) for on-site food
- d. Sketch Map Showing All of the Following:
 - The area where the event is to take place
 - Any Streets or other rights-of-way to be closed or obstructed.
 - Any barriers or traffic control devices that will be erected.
 - Location of vendor booths, platforms, benches, stages, or bleachers
 - Location of alcohol selling/consumption area
 - Toilet Facilities (i.e., porta johns)
 - Garbage Facilities (dumpsters, roll out carts)

****Please note the City of Roxboro does NOT provide garbage or waste removal services for the proposed event. The event organizer is responsible for arranging for these services, if necessary.**

IV. Cancellation Policy

The City Manager, Roxboro Police Department, or their designee, has the authority to end the event prior to schedule based on any of the following:

- violation of any section of the permit or City Ordinance,
- security and protection concerns of event participants and the community,
- if the conditions required for approval, including insurance coverage, of the event are not met,
- if any significant change in conditions would, or may adversely affect the public health or safety of the community, or
- for any condition that would place City facilities, grounds, or other natural resources at risk of damage or destruction if the event were permitted to take place.

If an event organizer, for any reason, must cancel their event they must notify the City of Roxboro. Cancellations must be in written form. Fees are non-refundable. (If the event organizer would like to request a rain-date, please indicate this in section II under the "event date(s)."

The undersigned persons certify that all information in this application (including attachments) is complete and accurate to the best of their knowledge, that the information contained in this application form shall constitute conditions of an issued permit, that the City will be notified of any changes or revisions to the event plans as described in this application, and that the undersigned persons have received and reviewed a copy of Chapter 95 of the Roxboro City Code and agree to comply with all permit conditions and understand that failure to comply with any condition, or any violation of law, may result in the immediate cancellation of the event, revocation of the permit, denial of future events, criminal prosecution and/or administrative citations/fines.

FUTHERMORE, the undersigned persons hereby authorize the City Manager or designated representative to enter upon the above-referenced activity site for the purpose of inspecting and determining/verifying compliance with the City's ordinance provisions.

Synda D. Clayton
Applicant Signature

Date: 5/2/2019

Synda D. Clayton
Responsible Planner/On-Site Manager

Date: 5/2/2019

**RELEASE AND HOLD HARMLESS
AGREEMENT**

STATE OF NORTH CAROLINA

COUNTY OF PERSON

The undersigned, having received permission from the City of Roxboro to conduct 4th of July Parade on July 4, 2019, do hereby release and forever hold harmless the City of Roxboro from any personal injuries or property damage related to the permitted use.

IN TESTIMONY WHEREOF, I have hereunto set my hand and seal:

This the 2 day of May, 2019

State of North Carolina
County of Person

Lynda D. Clayton

(Signature)

Certificate of Acknowledgement

On May 2, 2019, Lynda D. Clayton personally appeared before me and executed this document.

Notary Witness: Trevie D. Adams

Commission Expires: February 11, 2022





City of Roxboro

Merritt Commons Rental Agreement

I. Applicant Information:

Organization: Uptown Roxboro Group
Address: 105 S. Main Street City: Roxboro State: NC Zip Code: 27574
Daytime Phone Number: 336-322-6019 Cell Number: 336-504-9644 Email: director@uptownroxboro.com

Primary Contact: Lynda Clayton
Address: 105 S. Main Street City: Roxboro State: NC Zip Code: 27574
Daytime Phone Number: 336-322-6019 Cell Number: 336-504-9644 Email: director@uptownroxboro.com

II. General Event information:

Please provide the common name by which the event is to be known.

4th of July Parade

Please provide a brief description of the purpose of the proposed event:

4th of July Parade

Please indicate the following:

- Proposed Event Date(s): 7/4/2019
- Proposed Time Period(s): 8am - 1pm (start time may be shifted due to rain)
- Approximate Number of People to Attend the Event: Approx. 70 entries, 500-1000 viewers

Please provide a general description of the activities planned during the event.

Assembly at museum, parade down main street, finish at Merritt Commons lot. Streets will need to be closed when the parade assembles.

Is this usage a FOR PROFIT or NOT FOR PROFIT activity (circle one)?

Security Deposit \$100.00

Total Fees (for-profit multiply number of hours by \$50)

0

III. Usage Agreement:

THIS AGREEMENT IS BETWEEN THE City of Roxboro AND Uptown Roxboro Group
ON THE DATES AND TIMES INDICATED ON THIS FORM.

Make all checks payable to the City of Roxboro and remit to the Planning & Development Director.

It is agreed that the rules governing the use of the Merritt Commons property, County of Person, North Carolina, a copy of which has been received by the User and is an integral part of this agreement and is incorporated herein.

I/We release, absolve and agree to hold harmless and indemnify the City of Roxboro, their staff, sponsors and representatives from and against any and all liability, and from and against any claims, demands, costs or expenses, or causes of actions arising out of or in connection with the use of the facility.

WE THE UNDERSIGNED, HAVE READ AND FULLY UNDERSTAND THIS CONTRACT AND WILL ASSUME THE AFOREMENTIONED RESPONSIBILITIES.

This agreement is entered into this 2 day of may, 2019. In keeping with our good faith, I hereby submit a check in the amount of \$ 0 to the City of Roxboro.

Lynda D. Clayton

Signature/Date (User)

James L. Hanson 3/2/19

Signature/Date (Planning & Development Director)



Jackson Sumner & Associates

Excess & Surplus Lines Broker

Quote From:	Quote For:
Agent Name: DeAnn L. Blalock	Applicant Name: Uptown Roxboro Group, Inc.
Agency Name: Walker Insurance Agency, Inc.	Quote Number: SPE16316860
Phone: 336-599-1751	Quote Date: 04/29/2019 2:27 PM

Thank you for using our website. We are pleased to offer the following quote based on the information provided. This quote can be viewed at anytime in the next 45 days by entering the quote number above. **This quote is not a binder and must still be submitted for a binder.** No coverage is bound until a policy number is released by a JSA underwriter.

Company Name: Mesa Underwriters Specialty Insurance Company

A.M. Best Rating: A XII

Premium: ██████████
 Policy Fee: ██████████
 Stamping Fee: ██████████
 Tax: ██████████
 Total Premium: ██████████

Policy Term Quoted: 1 day(s)
Minimum Earned Premium: Fully Earned

Certified Acts of Terrorism Coverage is optional. If accepted the additional premium is \$158.10 for this quote.

GL Information	
[48558] Parades	
Number of set-up days:	0
Number of take-down days:	0
Number of event days:	1
Attendance per day:	1,001 - 2,500
Event days consecutive?	Yes
Event Has BYOB?	No
Overnight Accommodations?	No
Number of additional insureds:	0
Host Liquor Chosen:	No
Deductible:	\$250
Limit Chosen:	\$1,000,000 / \$2,000,000
General Aggregate:	\$2,000,000
Products Aggregate:	Included (For Food Consumption Only)
Personal & Advertising:	\$1,000,000
Each Occurrence:	\$1,000,000
Damage to Rented Premises:	\$100,000
Medical Payments:	\$5,000

Additional Messages	

- Please note that all premiums, fees, and taxes are fully earned.	
- Please note that this quote contains a Total Liquor Exclusion. See form: CG2150 (04/13)	
- Please note that this quote does not include coverage for bodily injury arising out of amusement devices/rides. See form: MUS 01 01 20071 (10/13)	
- Please note that this quote does not include coverage for bodily injury arising out of fireworks. See form: MUS 01 01 20011 (10/13)	
- Please note that this quote does not cover bodily injury to participants. See form: MUS 01 01 20017 (10/13)	

Forms That Apply
CG0001 (04/13) - Commercial General Liability Coverage Form
CG2144 (07/98) - Limitation of Coverage to Designated Premises or Project
CG2147 (12/07) - Employment-Related Practices Exclusion
CG2150 (04/13) - Amendment of Liquor Liability Exclusion
CG2155 (09/99) - Total Pollution Exclusion with a Hostile Fire Exception
CG2167 (12/04) - Fungi or Bacteria Exclusion
CG2173 (01/15) - Exclusion of Certified Acts of Terrorism (Applies if Terrorism Coverage is Rejected)
CG2196 (03/05) - Silica or Silica-Related Dust Exclusion
CG2279 (04/13) - Exclusion-Contractors-Professional Liability
CG2426 (04/13) - Amendment of Insured Contract Definition
IL0017 (11/98) - Common Policy Conditions
IL0021 (09/08) - Nuclear Energy Liability Exclusion Endorsement (Broad Form)
ILN001 (09/03) - Fraud Statement
MUS 01 01 10001 (08/17) - Policy Jacket
MUS 01 01 10002 (11/16) - Common Policy Declarations
MUS 01 01 10003 (10/13) - Schedule of Forms and Endorsements
MUS 01 01 10008 (10/13) - Fully Earned Premium Endorsement
MUS 01 01 10015 (10/13) - Service of Suit
MUS 01 01 10043 (10/13) - Privacy Policy
MUS 01 01 10044 (04/14) - Retail Agent Information
MUS 01 01 20001 (04/17) - General Liability Declarations
MUS 01 01 20004 (09/16) - Liability Deductible
MUS 01 01 20010 (10/13) - Exclusion-Unscheduled Activities and Events
MUS 01 01 20011 (10/13) - Exclusion-Pyrotechnicians or Fireworks
MUS 01 01 20013 (10/13) - Exclusion-Animal Liability
MUS 01 01 20016 (10/13) - Exclusion-Lethal Weapons
MUS 01 01 20017 (10/13) - Exclusion-Participants
MUS 01 01 20055 (10/13) - Assault or Battery Exclusion
MUS 01 01 20058 (08/16) - Lead Contamination Exclusion
MUS 01 01 20063 (08/16) - Punitive Damages Exclusion
MUS 01 01 20071 (10/13) - Exclusion-Amusement Devices
MUS 01 01 20080 (08/16) - Earth Movement Exclusion
MUS 01 01 20082 (08/16) - Exclusion-Asbestos
MUS 01 01 20084 (08/16) - Non-Stacking of Limits Endorsements
MUS 01 01 20094 (07/18) - Amendment of Conditions-Premium Audit
MUS 01 01 20112 (10/13) - Exclusion-Occupational Disease
MUS 01 01 20125 (09/15) - Exclusion-Injury to Employees, Temporary Workers and Contractors
MUS 01 01 20139 (06/17) - Exclusion-Infringement of Intellectual Property
Stamp Form (09/09) - Surplus Lines Stamp Form

CONFIDENTIALITY NOTICE: The transmitted documents contain private, privileged and confidential information belonging to the sender. The information therein is solely for the use of the addressee. If you receipt of this transmission has occurred as the result of an error, please immediately notify us so we can arrange for the return of the original documents. In such circumstances, you are advised that you may not disclose, copy, distribute or take any other action in reliance on the information transmitted.

1. Budget Amendment

**CITY OF ROXBORO
BUDGET AMENDMENT
FISCAL YEAR 2018-2019 BUDGET**

The following budget amendment is hereby requested:

Budget Amendment Number:

6

Fund 10 - General			INCREASE	DECREASE
Revenues				
10-3840-892	Interest Income		18,000.00	
10-3862-894	Rental Income		15,000.00	
10-3866-899	Miscellaneous Income		7,000.00	
10-3325-251	Sales Tax Refund		20,000.00	
10-3101-180	Tax Penalties and interest		5,000.00	
			65,000.00	-
	Net Increase (Decrease) in Revenues		65,000.00	
Expenditures				
10-4110-255	Property & Liability Insurance		30,000.00	
10-4110-192	Legal Fees		10,000.00	
10-6060-000	Sales Tax Paid		20,000.00	
10-4140-350	Contracted Service		5,000.00	
	Net Increase (Decrease) in Expenses		65,000.00	-
			65,000.00	

Justification: To appropriate additional revenues and additional expenditures

Requested By: _____ DC _____ Date: _____ 5/9/2019

Approved to
Submit to Council: _____ Date: _____

Approved by
Council: _____ Date: _____

Posted to Computer: _____ Date: _____

2. Text Amendment - Parking - Set Public Hearing

Text Amendment-Parking-Set Public Hearing

On April 25th, City Staff met with the Christian Help Center Executive Director Cynthia Wilson to discuss the parking concerns brought before Council during a public comment. The primary concerns of the Center were focused on two issues. First, they requested additional handicap parking towards the east side (Depot Street) of the North Main Parking Lot. Second, they expressed concerns over optimal customer parking being monopolized by all day parking.

After discussions, Staff proposed the following potential solutions:

- Make all spaces in the North Main Parking Lot facing and immediately adjacent to Depot Street 2 hour duration parking Monday-Friday 8am-5pm.
- Add two handicap parking spaces (this will remove three regular spaces). These would be located between the Christian Help Center and Schewel's Warehouse Buildings, the spaces directly face the Schewel's Warehouse Building.

3. Demolition Ordinance - 122 Main Circle - PH

Drawn by and Return to:
Albert M. Benschhoff
The Brough Law Firm, PLLC
1526 E. Franklin St., Suite 200
Chapel Hill, NC 27514

Owner(s): James Earl Nichols, Jr. & Heirs (see Appendix A)
PIN: 0905-10-27-8346.000

**AN ORDINANCE ORDERING THE CITY OF ROXBORO CODE ADMINISTRATOR
TO PROCEED TO EFFECTUATE THE PURPOSES OF THE ROXBORO MINIMUM
HOUSING STANDARDS CODE AND G.S. § 160A-443**

WHEREAS, on December 15, 2016 the City of Roxboro Code Administrator conducted a thorough inspection of the dwelling located on the property identified in the Person County Tax Records as Record Number 12916, Tax Map 119, Lot 13 and PIN 0905-10-27-8346.000 and having a street address of 122 Main Circle, (the "Property"). Said Property is owned by James Earl Nichols, Jr. and all heirs (the "Owner"), as evidenced by that deed recorded in the Person County Registry at Deed Book 85, Page 565, and

WHEREAS, the City of Roxboro Housing Administrator (the "Administrator") found that the dwelling unit was unfit for human habitation; and

WHEREAS, on December 15, 2016 the Administrator mailed complaints to the Owner with a notice of hearing; and

WHEREAS, on December 29, 2016 the Administrator held a hearing at Roxboro City Hall on the subjects listed in the complaint, and

WHEREAS, on December 29, 2016 the Administrator issued a Findings of Fact and Order (the "Order"), which was mailed and posted on the property. In the Order, the Administrator determined that the house was deteriorated and ordered the violations be abated by April 10, 2017; and

WHEREAS, on November 4, 2018 the Administrator mailed another notice of violation and hearing; and

WHEREAS, on November 29, 2018 conducted said hearing, and the Owner did not appear; and

WHEREAS, on November 29, 2018 the Administrator mailed the Order with a deadline for abatement of February 28, 2019; and

WHEREAS, on March 22, 2019 the Administrator mailed a notice of intent to abate the minimum housing violation to all identified heirs by means of demolition as ordered by the Roxboro City Council; and

WHEREAS, on March 30th, April 3rd, and April 13th 2019, the Administrator published a Notice of Service for all known heirs of James Earl Nichols, Jr. in the Courier Times, giving a deadline of May 14th to make any defense to the pleading; and

WHEREAS on May 1st and May 11th the Administrator published a notice in the Courier Times that the Roxboro City Council would hold a public hearing at 7 PM on Tuesday May 14th at Roxboro City Hall to consider adopting an ordinance directing the Administrator to demolish and remove the dilapidated structure at the Property; and

WHEREAS, the Administrator placed a sign on the property giving notice of the pending hearing on March 19, 2019; and

WHEREAS, the Owner has failed to timely comply with any of the Orders; and

WHEREAS, the City Council held the duly advertised Public Hearing and considered the testimony presented (if any);

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Roxboro, North Carolina that:

1. By the authority granted by Roxboro Code of Ordinances Chapt. 151, "Minimum Housing Standards," and by G.S. § 160A-443, the City of Roxboro Code Administrator is hereby ordered to cause the Property to be removed or demolished, as provided in the original Orders of the Administrator;

2. The City of Roxboro Administrator shall place a placard on The Property with the following words: "This building is unfit for human habitation, the use or occupation of this building for human habitation is prohibited and unlawful";

3. This ordinance shall be recorded in the Person County Registry; and

4. As provided by G.S. § 160A-443(6), the cost of any vacation, closing and/or demolition of the house caused to be made by the Officer shall be a lien against the real property upon which such cost was incurred and upon any other real property of the Owner located within the City limits, except for the Owner's primary residence, and be collected in the same manner as the lien for special assessments in Article 10 of NCGS Chapter 160A.

5. After the dwelling on the Property is demolished and removed, the Administrator shall sell the materials of such dwelling and shall credit the proceeds of such sale against the cost of the demolition and removal and any balance remaining shall be deposited in the Superior Court by the Administrator.

The foregoing ordinance, having been submitted to a vote, received the following vote and was duly adopted this ____ day of _____, 2019.

Ayes: _____

Merilyn P. Newell, Mayor

Noes: _____

Attest:

Absent or Excused: _____

Dated: _____

Trevie Adams, City Clerk

SEAL

STATE OF NORTH CAROLINA COUNTY OF _____

This Instrument was signed before me on the ____ day of _____ 2019.

By: _____
(Print all names of persons who signed this document before the Notary Public)

Print Notary Name: _____

Notary Signature

AFFIX SEAL or STAMP

My Commission Expires: _____

4. Special Activity Ordinance - Set Public Hearing



May 2, 2019

To: Mayor Newell
Roxboro City Council

From: Lauren Johnson, Planning & Development Director

Subject: Set Public Hearing for Consideration of Revisions to City Code of Ordinances:
Chapters 95 and 96, regarding sidewalk encroachment and special business activities.

Per the decision of the City of Roxboro City Council, based on requests from local business owners, Planning staff has prepared a draft of revisions to Chapters 95 and 96 of the City Code of Ordinances to allow for administrative approval of some special business activities and sidewalk encroachments. Staff requests the Council set a public hearing for consideration of this ordinance revision at the June 11th, 2019 meeting.

GENERAL REGULATIONS

§ 96.001 ENCROACHMENTS.

Unless expressly allowed by a permit issued pursuant to Chapter 95, or as a part of regular business operations for appropriately permitted businesses (i.e. flower pots, tables and chairs for dining on the sidewalk, etc.), no person shall encroach upon the streets or sidewalks of the city by erecting or placing any structure, device or equipment of either temporary or permanent nature. Businesses utilizing a portion of the sidewalk for planters, tables, chairs, benches, or similar items must maintain a 36-inch unobstructed area from the face of the curb and the encroaching object (i.e. table, chair, etc.) at all times. The area of the sidewalk used shall be limited to the frontage of the business utilizing the sidewalk, and areas for outdoor dining or drinking must be designated with a rope, fence, or other similar item.

('90 Code, § 18-1) (Am. Ord. passed 8-9-05) Penalty, see § 96.999

§ 96.002 DISPLAY, SALE OF MERCHANDISE.

Unless expressly allowed by a permit issued pursuant to Chapter 95, or as a part of regular business operations for appropriately permitted businesses (i.e. sidewalk sale), no person shall store, display, sell or exhibit for sale on any street or sidewalk within the city any good, wares or merchandise, nor shall any person place or use any equipment for the display, storage or vending of any goods, wares, or merchandise upon any street or sidewalk. However upon approval of the City Manager, a portion of the sidewalk may be utilized by the business fronting on said sidewalk, provided that a 36-inch unobstructed area is maintained from the face of the curb and any encroaching object at all times, without obtaining a permit issued pursuant to Chapter 95, and provided that the portion of the sidewalk utilized is not detrimental to the public health or safety. The area of the sidewalk used shall be limited to the frontage of the business utilizing the sidewalk. Such displays are permissible only during the regular hours of operation for the business conducting the sale, and must be removed from the sidewalk at the close of business each day.

('90 Code, § 18-2) (Am. Ord. passed 8-9-05; Am. Ord. passed 11-19-12) Penalty, see § 96.999

§ 96.003 SIGNS OVER SIDEWALKS OR CURBS.

Any sign hung, suspended, projected or otherwise placed over or across, or partly over any sidewalk or curbing shall have its lower edge not less than eight feet above the sidewalk or curbing, and the owner shall keep it in such condition that the public will not be exposed to danger therefrom. The Building Inspector shall periodically inspect all such signs and, if any are found to be in an unsafe condition, he or she shall report the same to the City Manager and shall also notify the person owning or maintaining the signs to either remove the same or make such alterations or repairs forthwith as to make the same conform to the provisions of this section.

('90 Code, § 18-3)

GENERAL PROVISIONS

§ 95.01 DEFINITIONS.

For the purpose of this chapter, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

APPEALS OFFICIAL. The City Manager, or his or her designee who shall be an Assistant City Manager.

ATHLETIC EVENT. Any event involving the conduct of exercises, sports or games.

BUSINESS DAYS. Those days in which city offices are open for conducting city business.

CHIEF OF POLICE. The Chief of Police of the city, or his or her designee.

FESTIVAL. A concert, fair, exhibition, promotion, community event, block party, or similar event.

PARADE. Any athletic event, ceremony, pageant, march, picket, procession, motorcade or other similar activity consisting of persons, animals, vehicles or things, or a combination thereof proceeding along any sidewalk or along the traveled portion of any street within the city in such a manner as to interfere with the normal flow of vehicular or pedestrian traffic upon such sidewalk or street, and which activity is not intended, in whole or in part, to exercise freedom protected under the First Amendment of the United States Constitution. A procession in which individuals move single-file along a sidewalk shall not be regarded as interfering with the normal flow of pedestrian traffic along such sidewalk.

PUBLIC ASSEMBLY PERMIT. A permit as required by this chapter in order to conduct a public street or sidewalk assembly regulated by this chapter.

PICKET or PICKETING. The stationing of one or more persons by standing, walking, lying, sitting, kneeling, bending, or in any other similar manner, at a particular place within the city with the purpose of persuading or otherwise influencing another person's actions or conduct or of apprising the public of any opinion or message, excluding purely casual, random, or other everyday forms of communication or conduct.

PUBLIC ASSEMBLY.

(1) Any gathering held generally in one location upon any sidewalk or upon the traveled portion of any street within the city in such a manner as to interfere with the normal flow of vehicular or pedestrian traffic upon such sidewalk or street, and which activity is intended, in whole or in part, to exercise freedom protected under the First Amendment of the United States or North Carolina Constitutions; or

(2) Any organized company of persons, or a picket, for a common purpose as a result of prior planning that is collected together generally in one location upon any sidewalk or upon the traveled portion of any street within the city in such a manner as to interfere with the normal flow of vehicular or pedestrian traffic upon such sidewalk or street, and which activity is

intended, in whole or in part, to exercise freedom protected under the First Amendment of the United States or North Carolina Constitutions. An organized company of persons or a picket in which the participants do not obstruct or occupy more than one-half of a sidewalk, such that other pedestrians may use the sidewalk for its intended purpose, shall not be regarded as interfering with the normal flow of pedestrian traffic along such sidewalk. For purposes of this definition, the phrase "held generally in one location" or "collected together generally in one location" means that such festival or activity is conducted generally in a fixed area as opposed to proceeding along the street or sidewalk in such a manner as to constitute a march or parade.

SIDEWALK. That portion of the street right-of-way that is designated for the use of pedestrians and that is paved.

SPECIAL BUSINESS ACTIVITY. Any activity conducted in whole, or in part, by an appropriately permitted business, which takes place on the sidewalk, alley, or parking lot directly adjacent to said business. Such activities may not exceed 1,500 square feet in area, utilize more than 5 public parking spaces, block any entrance to another business or building, nor last for more than 8 hours. This does not include any activity which temporarily closes or obstructs any portion of a public street.

SPECIAL EVENT. All street fairs, festivals, athletic events, carnivals, parades, marches, rallies, or other similar activities or public events not intended in whole or in part to exercise freedom protected under the First Amendment of the United States and/or North Carolina Constitutions, and that require the temporary closing or obstruction of a street, sidewalk, or other public right-of-way or any segment thereof or that otherwise substantially hinders or prevents the normal flow of vehicular or pedestrian traffic along any street or other public right-of-way.

STREET. Any place or way set aside or open to the general public for purposes of vehicular traffic, including any curb, berm, shoulder, right-of-way, or median strip, but not including the sidewalk.

(Ord. passed 9-12-06; Am. Ord. passed 12-13-16)

§ 95.02 REGULATIONS FOR PICKETS AND PICKETING.

(A) For purposes of this section, the following definitions shall apply:

(1) **PRIVATE RESIDENCE.** A single-family dwelling, duplex, or multi-family dwelling within the city;

(2) **DIRECTED, FOCUSED, or TARGETED AT.** A particular private residence is being made the sole object of picketing, and the picketing takes place solely on that portion of the street or sidewalk that abuts on the property upon which the targeted residence is located or solely on that portion of any street or sidewalk that abuts on property within 50 feet (measured from the lot line) of the property upon which the particular private residence is located, except the sidewalk on the opposite side of the street from the targeted residence.

(B) It shall be unlawful for any person to engage in picketing that is directed, focused, or targeted at a particular private residence.

(C) It shall be unlawful for any person participating in any picket to carry or possess any staff or pole for purposes of displaying any sign, poster, flag, banner, plaque or notice unless the staff or pole: (1) is made of corrugated material, plastic, or wood (and not made of metal or metal alloy); (2) is less than 41 inches in length; (3) is 1/4-inch or less in thickness and two inches or less in width, or if not generally rectangular in shape, does not exceed 3/4-inch in its thickest dimension; and (4) is blunt at both ends.

(D) It shall be unlawful for any person participating in any picket to carry or possess any sign, poster, flag, banner, plaque or notice, whether or not mounted on a length of material as specified in division (C) of this section, unless such sign, poster, flag, banner, plaque, or notice is constructed or made of a cloth, paper, cardboard, rubber, or plastic material.

(E) Picketers, pickets, and picketing shall be subject to all other applicable local, state and federal laws.

(F) Picketers, pickets, and picketing shall not take place in any street or road used by vehicular traffic, any highway, road or street median, or any "safety zone" as defined in G.S. § 20-4.01(39), unless a parade or public assembly permit has been obtained under § 95.03 below.

(G) A picket or picketing that is not prohibited by this section and that otherwise fits the definition of a parade or public assembly shall be subject to the regulations for parades and public assemblies in §§ 95.03 through 95.15 of this chapter.

(Ord. passed 9-12-06; Am. Ord. passed 12-13-16) Penalty, see § 95.99

§ 95.03 PERMIT REQUIRED FOR PUBLIC ASSEMBLIES.

(A) No public assembly is permitted unless a permit has been first obtained from the Chief of Police allowing the public assembly pursuant to this chapter.

(B) A person seeking to obtain an assembly permit shall file an application with the Chief of Police at least 72 hours before the time for which the public assembly is proposed to commence. Notwithstanding the preceding sentence, the Chief of Police shall consider an application for an assembly permit which is filed within any shorter time-frames from those prescribed above where the purpose of the public assembly is a spontaneous response to a current event, or where other good and compelling causes are shown.

(C) The application for an assembly permit shall include the following:

(1) The name, address, and telephone number (and pager number, facsimile number and email address, if available) of the person seeking to conduct the public assembly, and the name, address, and telephone number (and facsimile number and email address, if available) of the organization with which the person is affiliated or on whose behalf the person is applying to conduct the public assembly (collectively "Applicant");

(2) The name, address, and telephone number (and pager number, facsimile number, and email address, if available) for an individual who shall be designated as the "responsible planner and on-site manager" of the public assembly;

(3) The requested date, time, place, and route (from starting point to ending point) of the public assembly, including the location where and time when the public assembly will assemble and disband, and any requested sidewalk or street closings;

(4) The anticipated number of persons, vehicles and things that will constitute the public assembly (including the basis on which this estimate is made), and a description of the vehicles and things that will be part of the public assembly;

(5) A list of the number and type of animals that will be part of the public assembly;

(6) A description of the extent to which the public assembly will occupy all or a portion of any street or sidewalk;

(7) A general description of the activities planned during the public assembly, including whether any alcoholic beverages will be sold or consumed;

(8) A general description of any recording equipment and sound amplification equipment, along with a general description of the size and composition of any banners, signs, flags, or other attention-getting devices to be used in connection with the public assembly;

(9) Arrangements for additional police protection, and/or additional emergency medical services, and/or liability insurance, if required under § 95.04;

(10) The approximate number of anticipated spectators of the public assembly; and

(11) Any additional information, attachments and submissions that are requested on the application form.

(D) An assembly permit issued under this chapter shall include the information set out in division (C) of this section, which information shall constitute conditions of the permit to the extent such information sets out the time, place, and manner of the public assembly.

(Ord. passed 9-12-06; Am. Ord. passed 12-13-16) Penalty, see § 95.99

§ 95.04 POLICE PROTECTION.

(A) The Chief of Police shall determine whether and to what extent additional police protection (including additional emergency medical services) may reasonably be necessary for the public assembly for traffic control and public health and safety. The Chief of Police shall make this determination based on an objective consideration of the following factors (and in no case upon the speech content of the proposed public assembly or upon any anticipated public reaction to such speech content):

(1) The size, location, duration, time and date, composition, format, configuration, and number of anticipated participants in and anticipated spectators of the proposed public assembly;

(2) The expected sale of goods or services at the proposed public assembly;

(3) The extent to which the public assembly requires the closing of any street or sidewalk or portion thereof, taking into account the general traffic conditions in the area and existing traffic control devices;

- (4) The need to detour, reroute, or otherwise preempt normal vehicular or pedestrian traffic upon any street or sidewalk or portion thereof to accommodate the proposed public assembly;
- (5) The anticipated weather conditions at the time of the proposed public assembly; and
- (6) The extent to which the proposed public assembly is reasonably likely to require emergency medical services or police protection in areas contiguous to or in the surrounding vicinity of the proposed public assembly.

(B) Persons engaging in public assemblies conducted solely and entirely for the purpose of freedoms protected under the First Amendment are not required to pay for additional police protection or additional emergency medical services, or to provide insurance.

(Ord. passed 9-12-06; Am. Ord. passed 12-13-16) Penalty, see § 95.99

§ 95.05 PERMITTING CRITERIA.

The Chief of Police shall issue a public assembly permit when, from a consideration of the application and from such other information as may otherwise be obtained, he/she makes all of the following findings:

- (A) The conduct of the public assembly will not substantially or unnecessarily interfere with the safe and orderly movement of other pedestrian or vehicular traffic contiguous to its route or location; and, if such interference is likely to occur, that there are available at the time of the public assembly sufficient police resources to mitigate the interference;
- (B) There will be available at the time of the public assembly a sufficient number of police officers and traffic control aids to police and protect participants and non-participants at the public assembly and in areas contiguous to the event from traffic-related hazards in light of other demands for police protection in the city at the time of the proposed public assembly;
- (C) The concentration of persons, animals, vehicles, or things at the public assembly will not prevent proper fire and police protection or emergency medical services at the event or in areas contiguous to the public assembly;
- (D) The public assembly will not interfere with the use of a sidewalk or street requested by another applicant to whom a valid assembly or special event permit application has already been granted or has been received and will be granted;
- (E) No public assembly permit application for the same time but at a different location has already been granted or has been received and will be granted, and the police resources required for the prior public assembly are not so great that, in combination with the subsequent proposed application, the resulting deployment of police services would have an immediate and adverse effect upon the health or safety of persons or property;
- (F) No other public event is scheduled elsewhere in the city where the police resources required for that event are so great that the deployment of police services for the proposed public assembly would have an immediate and adverse effect upon the health or safety of persons or property; and
- (G) The application is fully and completed and executed; and

(H) The application contains no material falsehood or misrepresentation.

(Ord. passed 9-12-06; Am. Ord. passed 12-13-16) Penalty, see § 95.99

§ 95.06 NON-DISCRIMINATION.

Applications for assembly permits shall be processed and decided upon on a first-in-time basis, and the Chief of Police shall consider each application upon its merits and shall not discriminate in granting or denying any permit based upon political, religious, ethnic, race, disability, sexual orientation or gender related grounds, or upon the content of any speech protected by the First Amendment or upon any anticipated public reaction to such speech content.

(Ord. passed 9-12-06; Am. Ord. passed 12-13-16)

§ 95.07 NOTICE OF DECISION ON APPLICATION.

(A) The Chief of Police shall make his/her written decision granting or denying a fully completed and executed assembly permit application (or granting an alternative permit under § 95.08 within three business days after the application has been received by him/her, but in no event less than 24 hours before the time for which the public assembly is proposed to commence. If the application under § 95.03 is filed within any shorter time-frames than those prescribed in § 95.03, then the Chief of Police shall make a decision on the application before the time for which the public assembly is proposed to commence.

(B) As soon as practicable after the written decision on the permit application has been made, the Chief of Police shall notify the applicant of the decision: (1) by the most expeditious means practicable (i.e., by telephone, facsimile, or email); and (2) by mailing a copy of the decision to the applicant by registered or certified mail, return receipt requested, which mailing shall be posted no later than the first business day after the decision has been made. If the decision is to deny the application or grant an alternative permit, the notification to the applicant shall include the written reasons for the denial of the permit or for the grant of an alternative permit.

(Ord. passed 9-12-06; Am. Ord. passed 12-13-16)

§ 95.08 ALTERNATIVE PERMIT.

(A) If the Chief of Police denies an application for an assembly permit because he/she decides against one or more of the required findings in § 95.05(A) through (H), the Chief of Police shall authorize the conduct of a public assembly on a date, at a time, at a location or over a different route from that named by the applicant. This alternative permit shall, to the extent practicable, authorize a public assembly that will have comparable public visibility and a similar date, time, location, or route to that of the proposed event. An applicant desiring to accept an alternative assembly permit shall, within at least 24 hours before the time for which the alternative public assembly will commence, file a written notice of acceptance with the Chief of Police.

(B) An alternative assembly permit shall contain the information called for in § 95.03(C), which information shall constitute conditions of the alternative assembly permit to the extent such information sets out the time, place, and manner of the alternative public assembly.

(Ord. passed 9-12-06; Am. Ord. passed 12-13-16)

§ 95.09 SALE AND CONSUMPTION OF ALCOHOLIC BEVERAGES.

No alcoholic beverages may be sold or consumed during Article One public assemblies.

(Ord. passed 9-12-06; Am. Ord. passed 12-13-16) Penalty, see § 95.99

§ 95.10 APPEAL PROCEDURE.

(A) An applicant may appeal the denial of an assembly permit in writing to the City Manager's office within ten business days after notice of the denial has been received by the applicant. Within five business days (or such longer period of time agreed to by the applicant) after the city has received the written appeal, the appeals official shall hold a quasi-judicial hearing on whether to issue the permit or uphold the denial. The applicant shall have the right to present evidence at this hearing. The decision to issue the permit or uphold the denial shall be based solely on the approval criteria set forth in § 95.05, and the burden of proof to uphold the denial shall be on the Chief of Police by a preponderance of the evidence. The appeals official shall render a written decision on the appeal within five business days after the date of the hearing. Where the purpose of the proposed public assembly is a spontaneous response to a current event, or where other good and compelling causes are shown, the appeals official shall reasonably attempt to conduct the hearing and render a decision on the appeal as expeditiously as is practicable.

(B) The decision of the appeals official is subject to review in the Superior Court of Person County by proceedings in the nature of certiorari. Any petition for writ of certiorari for review shall be filed with the Clerk of Superior Court within 30 days after the applicant has received notice of the decision of the appeals official. Unless good cause exists to contest a petition for writ of certiorari, the city shall stipulate to certiorari no later than five business days after the petitioner requests such a stipulation. The city shall transmit the record to the court no later than five business days after receiving the order allowing certiorari. Notwithstanding the provisions of any local rule of the reviewing court that allows for a longer time period, the city shall serve its brief upon the petitioner within 15 days after it is served with the petitioner's brief. If the petitioner serves his or her brief by mail, the city shall add three days to this time limit, in accordance with G.S. § 1A-1, Rule 5. If the local rule is subsequently amended to provide for a shorter time period for serving any brief, then the shorter time period shall control.

(Ord. passed 9-12-06; Am. Ord. passed 12-13-16)

§ 95.11 DUTIES OF APPLICANT AND RESPONSIBLE PLANNER AND ON-SITE MANAGER.

(A) The applicant and responsible planner and on-site manager of the public assembly shall comply with all conditions of the public assembly permit issued pursuant to this chapter and with all other applicable local, state, and federal laws.

(B) The individual designated as the responsible planner and on-site manager of the public assembly shall carry the assembly permit upon his or her person during the conduct of the public assembly.

(Ord. passed 9-12-06; Am. Ord. passed 12-13-16) Penalty, see § 95.99

§ 95.12 PROHIBITIONS.

The following prohibitions shall apply to all public assemblies:

(A) It shall be unlawful for any person to stage, present, or conduct any public assembly without first having obtained a permit under this chapter.

(B) It shall be unlawful for any person to participate in a public assembly for which the person knows a permit has not been granted.

(C) It shall be unlawful for any participant in a public assembly to knowingly fail to comply with any conditions of the assembly permit.

(D) It shall be unlawful for any person participating in any public assembly to carry or possess any staff or pole for purposes of displaying any sign, poster, flag, banner, plaque or notice unless the staff or pole: (1) is made of corrugated material, plastic, or wood (and not made of metal or metal alloy); (2) is less than 41 inches in length; (3) is 1/4-inch or less in thickness and two inches or less in width, or if not generally rectangular in shape, does not exceed 3/4-inch in its thickest dimension; and (4) is blunt at both ends.

(E) It shall be unlawful for any person participating in any public assembly to carry or possess any sign, poster, flag, banner, plaque or notice, whether or not mounted on a length of material as specified in division (D) of this section, unless such sign, poster, flag, banner, plaque, or notice is constructed or made of a cloth, paper, cardboard, rubber, or plastic material.

(F) It shall be unlawful to assign or sell any assembly permit granted under this chapter.

(G) All participants in any public assembly shall be subject to all other applicable local, state and federal laws.

(Ord. passed 9-12-06; Am. Ord. passed 12-13-16) Penalty, see § 95.99

§ 95.13 PUBLIC CONDUCT DURING PUBLIC ASSEMBLIES.

(A) No person shall unreasonably hamper, obstruct, impede, or interfere with any public assembly or with any person, vehicle, animal, or thing participating or used in a public assembly.

(B) The Chief of Police shall have the authority, when reasonably necessary, to prohibit or restrict the parking of vehicles along a street constituting a part of the route of a public assembly. The Chief of Police shall post signs to that effect, and it shall be unlawful for any person to park or leave unattended any vehicle in violation of such signs.

(Ord. passed 9-12-06; Am. Ord. passed 12-13-16) Penalty, see § 95.99

§ 95.14 REVOCATION OF PERMIT.

(A) The Chief of Police shall have the authority to revoke a public assembly permit instantly upon violation of any conditions of the permit or when a public emergency arises where the police resources required for that emergency are so great that deployment of police services for the public assembly would have an immediate and adverse effect upon the health or safety of persons or property.

(B) After a permit is revoked under division (A) of this section, the Chief of Police shall notify the applicant of the reasons for the revocation in writing by mailing a copy of the revocation to the applicant by registered or certified mail, return receipt requested, which mailing shall be posted no later than the first business day after the revocation.

(Ord. passed 9-12-06; Am. Ord. passed 12-13-16)

SPECIAL EVENTS

§ 95.25 SPECIAL EVENTS.

(A) This subchapter applies to all street fairs, festivals, athletic events, carnivals, parades, marches, rallies, or other similar activities or public events not intended in whole or in part to exercise freedom protected under the First Amendment of the United States Constitution, and that require the temporary closing or obstruction of a street, sidewalk, or other public right-of-way or any segment thereof or that otherwise substantially hinder or prevent the normal flow of vehicular or pedestrian traffic along any street or other public right-of-way. Any such activity covered by this subchapter shall hereafter be referred to as a "special event." These regulations shall not apply to activities falling under the definition of "Special Business Activity."

(B) This subchapter shall not apply to:

(1) An activity occurring entirely on property owned by person, county or another unit of government;

(2) Funeral processions;

(3) Students going to and from school or participating in an educational activity where such activity is under the immediate supervision and direction of proper school authorities;

(4) A governmental agency acting within the scope of its functions; or

(5) Special events substantially administered by the City of Roxboro, or an authorized agent of the city, provided the special event is insured against accidents and liabilities by the city or by the entity acting on behalf of the city.

(Ord. passed 9-12-06; Am. Ord. passed 12-13-16)

§ 95.26 PERMIT REQUIRED.

No person may run, operate, or sponsor any special event in any public street, parking lot, or right-of-way without a permit obtained from the city in accordance with this subchapter.

(Ord. passed 9-12-06; Am. Ord. passed 12-13-16) Penalty, see § 95.99

§ 95.27 SPECIAL EVENT PERMIT.

(A) A person seeking to obtain a special event permit shall file an application with the City Manager, or his/her designee, on a form provided by the Manager no less than 60 days before the date the special event activity will commence, if said event requires a public hearing. If the event does not require a public hearing, see § 95.30 (B), applications must be filed no less than 30 days

before the date the special event activity will commence. The following information shall be contained in the application:

- (1) The name, address, and telephone number (and pager number, facsimile number, and email address, if available) of the person seeking to conduct the special event, and the name, address, and telephone number (and facsimile number and email address, if available), of the organization with which the person is affiliated or on whose behalf the person is applying to conduct the special event (collectively "Applicant");
 - (2) The name, address, and telephone number (and pager number, facsimile number, and email address, if available) for an individual who shall be designated as the "person in charge" or "responsible planner and on-site manager" of the special event;
 - (3) The requested date, time, place, and route (from starting point to ending point) of the special event, including the location where and time when the special event will assemble and disband, and any requested sidewalk or street closings;
 - (4) The anticipated number of persons, vehicles, and things that will constitute the special event (including the basis on which this estimate is made), and a description of the vehicles and things that will be part of the special event;
 - (5) A list of the number and type of animals that will be a part of the special event;
 - (6) Any barriers or traffic control devices that will be erected; and the location of fire hydrants and electrical hook-ups, as well as the location of proposed concession stands, booths, platforms, benches or bleachers, toilet facilities and garbage facilities;
 - (7) A description of the extent to which the special event will occupy all of a portion of any street or sidewalk;
 - (8) A general description of the activities planned during the special event, including whether any alcoholic beverages will be sold or consumed, and a sketch map of where such beverages will be sold and consumed.
 - (9) A general description of any recording equipment and sound amplification equipment, along with a general description of the size and composition of any banners, signs, flags, or other attention-getting devices to be used in connection with the special event;
 - (10) Arrangements for additional police protection, and/or additional emergency medical services and/or liability insurance, if required under §§ 95.19 and 95.24;
 - (11) The approximate number of anticipated spectators of the special event;
 - (12) Any additional information, attachments and submissions that are requested on the application form.
- (B) A special event permit issued under this article shall include the information set out in division (A) of this section, which information shall constitute conditions of the permit to the extent such information sets out the time, place, manner and conditions of the special event.

(C) The sponsor of a special event that consists of a series of activities spread over more than one day shall be required to obtain only one permit, which will cover the entire duration of the special event. This subsection applies only to special event activities lasting four months or less.

(Ord. passed 9-12-06; Am. Ord. passed 12-13-16) Penalty, see § 95.99

§ 95.28 COSTS INCURRED BY THE CITY.

(A) If the city is required to provide additional police protection and/or additional emergency medical services or any other extraordinary services or equipment or if the City Manager otherwise determines that such additional police/emergency medical services or other extraordinary services or equipment should be provided for reasons related to public health or safety, the city shall take whatever action is necessary under the Local Government Budget and Fiscal Control Act to make available the necessary funds for the provision of such services or equipment.

(B) The city may require the sponsor to provide additional police/emergency medical services or to pay the city a fee sufficient to reimburse the city for providing additional police/emergency medical services or for providing the costs of any extraordinary services or equipment provided by the city.

(Am. Ord. passed 12-13-16)

§ 95.29 STAFF REVIEW.

Under receipt of the permit application and applicable fees (if any are required), the City Manager, or designee when deemed appropriate, shall circulate it to the Planning and Development Director, Public Services Director, Environmental Health Director, Fire Chief, Chief of Police and any other appropriate persons for their comment. The City Manager may arrange to have a conference on the application with the sponsor and/or applicant and one or more of the department heads listed above.

(Ord. passed 9-12-06; Am. Ord. passed 12-13-16)

§ 95.30 NOTICE AND PUBLIC HEARING.

(A) The City Council shall consider all completed applications for special event permits.

(B) Public hearings are not required for special events: (i) observing national holidays; or (ii) special events recurring annually and which are scheduled to last no more than two hours and for which no admission fee is charged.

(C) The City Council will hold a public hearing on any special event permit application, excepting those described in division (B) above. This hearing may be held at any regular meeting of the Council.

(D) Notice of any public hearing shall be given once a week for two successive calendar weeks in a newspaper having general circulation in the area. The notice shall be published for the first time not less than ten days, nor more than 25 days, before the date fixed for the hearing. In computing such period, the day of publication is not to be included but the day of the hearing

shall be included. The notice shall also be posted on the City's website one week before the public hearing.

(E) The City Council may attach any reasonable conditions to the issuance of a permit; and any special event conducted pursuant to a permit issued under this subchapter shall be conducted strictly in accordance with the terms of the permit, including any conditions attached to the permit.

(Am. Ord. passed 12-13-16)

§ 95.31 STANDARDS FOR ISSUANCE OF PERMIT.

(A) The city shall issue the permit authorizing the requested special event activity unless it finds that:

(1) The conduct of the activity will require the assignment of so many police officers that the remainder of the city cannot adequately be protected;

(2) The activity will interfere with the movement of emergency vehicles to such an extent that adequate police, fire, or other emergency services cannot be adequately provided throughout the city; or

(3) Allowing the activity to be held would constitute a clear and present danger to the public health or safety;

(4) The activity, if held at the time or location proposed, will cause an unreasonable and unwarranted disruption to vehicular or pedestrian traffic;

(5) The activity will work a severe hardship on property owners or property occupants near the special event location as a result of the denial of access to their properties or for other substantial reasons;

(6) The person in charge and/or the sponsor of the activity has failed to obtain or does not intend to obtain any and all necessary permits or licenses, including but not limited to building permits, privilege licenses, and alcohol permits, or the application is otherwise in violation of any provision of the Roxboro Code of Ordinances or other applicable law; or

(7) If permitted, the activity will conflict with any other activity previously permitted under this chapter by covering any part of substantially the same area or route during substantially the same time frame as allotted to the previously permitted activity.

(B) The city may attach any reasonable conditions to the issuance of a permit; and any special event conducted pursuant to a permit issued under this subchapter shall be conducted strictly in accordance with the terms of the permit, including any conditions attached to the permit.

(Ord. passed 9-12-06; Am. Ord. passed 12-13-16)

§ 95.32 MODIFICATION; ALTERNATE PERMIT.

(A) If the city finds that it cannot issue the permit for any reason specified in § 95.31 of this subchapter, it may request that the applicant modify its application to remove said objection(s) to the issuance of the permit, and the applicant may do so without further notice or hearing.

(B) If the city finds that it cannot issue the permit for any reason specified in § 95.31 of this subchapter and if modification of the permit does not appear possible, the city may, in its discretion, issue a permit specifying an alternative, location, route or time for special event activity.

(Ord. passed 9-12-06; Am. Ord. passed 12-13-16)

§ 95.33 INSURANCE.

The city may require as a condition to the issuance of a permit that the sponsor obtain a comprehensive general liability insurance policy or comparable liability insurance coverage that includes the entire area or route of the special event activity. If such policy is required, the city shall be named as an additional insured on the policy. The limits of such policy shall not be less than the following, and the city may require higher limits if it finds that the risks associated with the activity warrant such higher limits:

Property damage	\$50,000 for each occurrence.
Bodily injury or death	\$100,000 for each person, \$300,000 for each occurrence

(Ord. passed 9-12-06; Am. Ord. passed 12-13-16)

§ 95.34 CITY INDEMNIFIED.

Any sponsor obtaining a permit pursuant to this chapter agrees as a condition of the permit to indemnify the city and hold the city harmless from any expenses, including but not limited to attorney's fees, litigation costs and judgments, incurred as a result of claims made for damages arising out of the permitted activity.

(Ord. passed 9-12-06; Am. Ord. passed 12-13-16)

§ 95.35 STREET CLOSINGS.

(A) The City Council may close city-maintained streets in conjunction with issuing a permit for a special event.

(B) Streets maintained by the N.C. Dept. of Transportation shall be closed as provide in G.S. § 20-169 "Powers of local authorities" and the "NC DOT Parades Events Guidelines."

(C) No person may operate, or park, any vehicle contrary to the traffic control devices installed in accordance with this section. In the event that any such vehicle(s) remains in an otherwise closed area designated "no parking" as a part of an approved special event, the Chief of Police may issue citations or remove said vehicle(s) at the owner's expense.

(D) Within seven days prior to the start of any special event activity, the City Manager, or his/her designee shall cause written notice to be provided to the occupants, or if they are unavailable the owners, of each property abutting the street(s) to be closed pursuant to the approval a special event permit in this section. For activities that are scheduled to occur less than seven days after the permit application has been submitted, the City Manager, or his/her designee need only provide such notice as is reasonably possible. (Ord. passed 9-12-06; Am. Ord. passed 12-13-16)

§ 95.36 PERSON IN CHARGE/ RESPONSIBLE PLANNER AND ON-SITE MANAGER.

(A) The person in charge shall be the person primarily responsible for complying with the requirements of this subchapter; for obtaining all required permits and/or approvals prior to the start of the special event activity, and for setting up, conducting, and cleaning up after the activity.

(B) The person in charge shall have the permit issued pursuant to this subchapter, as well as any other required permits or approvals necessary for the activity, available at all times for inspection by city staff during the special event activity.

(C) The person in charge shall be responsible for cleaning up any litter caused by the special event activity; removing any temporary signs or structures erected by the sponsor or other individuals or organizations participating in the activity; and in returning the area where the activity takes place to the condition that existed prior to the activity.

(Ord. passed 9-12-06; Am. Ord. passed 12-13-16) Penalty, see § 95.99

§ 95.37 SPECIAL EVENTS INVOLVING THE SALE AND CONSUMPTION OF ALCOHOLIC BEVERAGES.

(A) For any special event where alcoholic beverages will be sold and consumed, the person in charge of the event shall ensure that an area within the special event area is designated for the sale and consumption of alcoholic beverages. The perimeters of the area shall be clearly marked, and the entrance to the area shall be constructed so as to allow ready control of patrons, including the viewing of identification to prevent underage persons from being permitted into the area.

(B) Any area designated for the sale and consumption of alcoholic beverages as a part of a special event shall be located at least 150 feet from any church, mosque, synagogue or other place of worship.

(C) No alcoholic beverages may be sold or consumed as a part of a special event outside of the designated area for such sale or consumption.

(D) Prior to the beginning of the special event, the person in charge shall ensure that all necessary state or other permits relating to the sale and consumption of alcoholic beverages have been secured.

(E) All persons lawfully selling, purchasing and consuming alcoholic beverages within a designated area during a special event are exempt from the requirements of § 111.01(A).

(F) Nothing in this subchapter shall prevent the City Council from prohibiting the sale and/or consumption of alcoholic beverages at any special event if the Council determines that such sale or consumption is not in the best interests of the health, safety and welfare of the city.

(Ord. passed 9-12-06; Am. Ord. passed 12-13-16) Penalty, see § 95.99

§ 95.38 PROHIBITIONS.

The following prohibitions shall apply to all special events:

(A) It shall be unlawful for any person to stage, present, or conduct any special event without first having obtained a permit under this subchapter.

(B) It shall be unlawful for any person to participate in a special event for which the person knows a permit has not been granted.

(C) It shall be unlawful for any participant in a special event to knowingly fail to comply with any conditions of the special event permit.

(D) It shall be unlawful to assign or sell any special event permit granted under this subchapter.

(E) All participants in any special event shall be subject to all other applicable local, state and federal laws.

(Ord. passed 9-12-06; Am. Ord. passed 12-13-16) Penalty, see § 95.99

§ 95.39 PUBLIC CONDUCT DURING SPECIAL EVENTS.

(A) No person shall unreasonably hamper, obstruct, impede, or interfere with any person, vehicle, animal, or thing participating or used in any special event.

(B) As is specified in § 95.35(C), the Chief of Police shall have the authority, when reasonably necessary, to prohibit or restrict the parking of vehicles along a street constituting a part of the route of a special event.

(Ord. passed 9-12-06; Am. Ord. passed 12-13-16) Penalty, see § 95.99

§ 95.40 REVOCATION OF PERMIT.

(A) The City Council, the City Manager, or the Chief of Police shall have the authority to revoke a special event permit instantly upon a violation of any conditions of the permit or when a public emergency arises where the police resources required for that emergency are so great that deployment of police services for the special event would have an immediate and adverse effect upon the health or safety of persons or property.

(B) After a permit is revoked under division (A) this section, the City Manager, or his/her designee, shall notify the applicant of the reasons for the revocation in writing by mailing a copy of the revocation to the applicant by registered or certified mail, return receipt requested, which mailing shall be posted no later than the first business day after the revocation.

(Ord. passed 9-12-06; Am. Ord. passed 12-13-16)

SPECIAL BUSINESS ACTIVITY

95.50 SPECIAL BUSINESS ACTIVITY

(A) This subchapter applies to any activity hosted in whole, or in part, by an appropriately permitted business, and which takes place outside the physical building of said business, and which may utilize a portion of a public sidewalk, alley, or parking lot as a part of a business related event. Such activities may include small outdoor performances or demonstrations, fundraisers for a designated cause or non-profit, or similar activity.

(Ord. passed ?)

95.51 PERMIT REQUIRED

No person or business may host, sponsor, or operate any such special business activity on any public sidewalk, parking lot, or alley without a permit obtained from the city in accordance with this subchapter.

(Ord passed ?)

95.52 SPECIAL BUSINESS ACTIVITY PERMIT

(A) A person seeking to obtain a special business activity permit shall file an application with the City Manager, or his/her designee, on a form provided by the Manager, no less than 30 days before the date the special business activity will commence. The following information shall be contained in the application:

- (1) The name, address, and telephone number (an email address if available) of the person authorized to represent the business seeking to conduct the special business activity, and the name of the business which will be sponsoring/hosting said activity.
- (2) The name, address, and telephone number (and email address if available) of the individual designated as the "person in charge" or "responsible planner or on-site manager" of the special business activity.
- (3) The proposed date(s), time, and location of the special business activity, including specific identification of the public sidewalk, parking lot, or alley to be utilized as a part of the activity.
- (4) The anticipated number of persons attending, or participating in, the activity.
- (5) A description of the requested or provided barriers to be utilized during the special business activity and a map designating the location of same.
- (6) A general description of the planned activity, including whether any alcoholic beverages will be sold or consumed, the use of any recording or sound amplification equipment, and/or any stages, dancefloors, or similar structures to be utilized as a part of the activity. All such items shall be designated on the location map.

(7) Any necessary request for additional police protection, and/or any additional emergency medical services as determined by the City Manager, based upon the description of the planned activity.

(8) Any additional information, attachments, and submissions that are requested on the application form.

(Ord. passed ?)

95.53 COSTS INCURRED BY THE CITY

(A) If the city is required to provide additional police protection and/or additional emergency medical services or any other extraordinary services or equipment or if the City Manager otherwise determines that such additional police/emergency medical services or other extraordinary services or equipment should be provided for reasons related to public health or safety, the city shall take whatever action is necessary under the Local Government Budget and Fiscal Control Act to make available the necessary funds for the provision of such services or equipment.

(B) The city may require the sponsor to provide additional police/emergency medical services or to pay the city a fee sufficient to reimburse the city for providing additional police/emergency medical services or for providing the costs of any extraordinary services or equipment provided by the city.

(Ord passed ?)

95.54 STAFF REVIEW

Under receipt of the permit application and applicable fees (if any are required), the City Manager, or designee, shall circulate it to the Planning & Development Director, Public Services Director, Environmental Health Director, Fire Chief, Chief of Police, and any other appropriate persons for their comment. The City Manager may arrange to have a conference on the application with the sponsor and/or applicant and one or more of the department heads listed above.

(Ord. passed ?)

95.55 STANDARDS FOR ISSUANCE OF A PERMIT

(A) The city shall issue the permit authorizing the request special business activity, unless it finds that:

(1) The conduct of the activity falls outside the definition for "special business activity" as outlined in Section 95.01;

(2) The activity will interfere with the movement of emergency vehicles to such an extent that adequate police, fire, or other emergency services cannot be provided to the neighboring businesses or residences;

(3) Allowing the activity would constitute a clear and present danger to the public health or safety;

(4) The activity, if held at the time or location proposed, would cause an unreasonable and unwarranted disruption to the regular operations of adjacent businesses, or result in a severe hardship on property owners or occupants near the special activity location as a result of the denial of access to their properties;

(5) The person in charge and/or the sponsoring business of the activity has failed to obtain or does not intend to obtain any and all necessary permits or licenses, including but not limited to building permits, zoning compliance permits, alcohol permits, or the application is otherwise in violation of any provision of the Roxboro Code of Ordinances or other applicable law; or

(6) If permitted, the activity will conflict with any other activity previously permitted under this chapter by covering any part of substantially the same area during substantially the same time frame as allotted to the previously permitted activity.

(B) The city may attach any reasonable conditions to the issuance of a permit; and any special business activity conducted pursuant to a permit issued under this subchapter shall be conducted strictly in accordance with the terms of the permit, including any conditions attached to the permit.

(Ord. passed ?)

95.56 MODIFICATION' ALTERNATE PERMIT

(A) If the city finds that it cannot issue the permit for any reason specified in §95.55 of this subchapter, it may request that the applicant modify its application to remove said objection(s) to the issuance of the permit, and the applicant may do so without further notice or hearing.

(B) If the city finds that it cannot issue the permit for any reason specified in §95.55 of this subchapter and if modification of the permit does not appear possible, the city may, in its discretion, issue a permit specifying an alternative, location, route or time for the special business activity.

(Ord. passed ?)

95.57 CITY INDEMNIFIED

Any sponsor obtaining a permit pursuant to this chapter agrees as a condition of the permit to indemnify the city and hold the city harmless from any expenses, including but not limited to attorney's fees, litigation costs and judgments, incurred as a result of claims made for damages arising out of the permitted activity.

(Ord. passed ?)

95.58 PERSON IN CHARGE/RESPONSIBLE PLANNER/ON-SITE MANAGER

(A) The person in charge shall be the person primarily responsible for complying with the requirements of this subchapter; for obtaining all required permits and/or approvals prior to the start of the special event activity, and for setting up, conducting, and cleaning up after the activity.

(B) The person in charge shall have the permit issued pursuant to this subchapter, as well as any other required permits or approvals necessary for the activity, available at all times for inspection by city staff during the special event activity.

(C) The person in charge shall be responsible for cleaning up any litter caused by the special event activity; removing any temporary signs or structures erected by the sponsor or other individuals or organizations participating in the activity; and in returning the area where the activity takes place to the condition that existed prior to the activity.

(Ord. passed ?)

95.59 SPECIAL EVENTS INVOLVING THE SALE AND CONSUMPTION OF ALCOHOLIC BEVERAGES

(A) For any special business activity where alcoholic beverages will be sold and consumed, the person in charge of the event shall ensure that an area within the special business activity area is designated for the sale and consumption of alcoholic beverages. The perimeters of the area shall be clearly marked, and the entrance to the area shall be constructed so as to allow ready control of patrons, including the viewing of identification to prevent underage persons from being permitted into the area.

(B) Any area designated for the sale and consumption of alcoholic beverages as a part of a special business activity shall be located at least 150 feet from any church, mosque, synagogue or other place of worship.

(C) No alcoholic beverages may be sold or consumed as a part of a special business activity outside of the designated area for such sale or consumption.

(D) Prior to the beginning of the special business activity, the person in charge shall ensure that all necessary state or other permits relating to the sale and consumption of alcoholic beverages have been secured.

(E) All persons lawfully selling, purchasing and consuming alcoholic beverages within a designated area during a special business activity are exempt from the requirements of § 111.01(A).

(F) Nothing in this subchapter shall prevent the City Council from prohibiting the sale and/or consumption of alcoholic beverages at any special business activity if the Council determines that such sale or consumption is not in the best interests of the health, safety and welfare of the city.

(Ord. passed ?)

95.60 PROHIBITIONS

The following prohibitions shall apply to all special business activities:

(A) It shall be unlawful for any person to stage, present, or conduct any special business activity without first having obtained a permit under this subchapter.

(B) It shall be unlawful for any person to participate in a special business activity for which the person knows a permit has not been granted.

(C) It shall be unlawful for any participant in a special event to knowingly fail to comply with any conditions of the special event permit.

(D) It shall be unlawful to assign or sell any special event permit granted under this subchapter.

(E) All participants in any special event shall be subject to all other applicable local, state and federal laws.

(Ord. passed ?)

95.61 PUBLIC CONDUCT DURING SPECIAL BUSINESS ACTIVITIES

(A) No person shall unreasonably hamper, obstruct, impede, or interfere with any person, vehicle, animal, or thing participating or used in any special business activity.

(Ord. passed ?)

95.62 REVOCATION OF PERMIT

(A) The City Council, the City Manager, or the Chief of Police shall have the authority to revoke a special event permit instantly upon a violation of any conditions of the permit or when a public emergency arises where the police resources required for that emergency are so great that deployment of police services for the special event would have an immediate and adverse effect upon the health or safety of persons or property.

(B) After a permit is revoked under division (A) this section, the City Manager, or his/her designee, shall notify the applicant of the reasons for the revocation in writing by mailing a copy of the revocation to the applicant by registered or certified mail, return receipt requested, which mailing shall be posted no later than the first business day after the revocation.

(Ord. passed ?)

§ 95.99 PENALTY.

A violation of any section or subchapter of this chapter shall be subject to a civil penalty of \$500 to be recovered in the nature of a debt or by a misdemeanor punishable by up to a \$500 fine as provided in G.S. § 14-4.

(Ord. passed 9-12-06; Am. Ord. passed 12-13-16)

5. Satterfield Farm Sub-division



May 2, 2019

To: Mayor Newell
Roxboro City Council

From: Lauren Johnson, Planning & Development Director

Subject: Consideration of Satterfield Farm Subdivision Plan

Staff will provide a comprehensive report of the Satterfield Farm Subdivision proposal at the Council meeting, including digital images of the site plan and a staff report from all City department heads.

6. Resolution Local Water Supply Plan

**RESOLUTION FOR APPROVING
LOCAL WATER SUPPLY PLAN**

WHEREAS, North Carolina General Statute 143-355(I) requires that each unit of local government that provides public water service or that plans to provide public water service and each large community water system shall, either individually or together with other units of local government and large community water systems, prepare and submit a Local Water Supply Plan; and

WHEREAS, as required by the statute and in the interests of sound local planning, a Local Water Supply Plan for the City of Roxboro, has been developed and submitted to the Roxboro City Council for approval; and

WHEREAS, the Roxboro City Council finds that the Local Water Supply Plan is in accordance with the provisions of North Carolina General Statute 143-355(I) and that it will provide appropriate guidance for the future management of water supplies for the City of Roxboro, as well as useful information to the Department of Environmental Quality for the development of a state water supply plan as required by statute;

NOW, THEREFORE, BE IT RESOLVED by the Roxboro City Council of the City of Roxboro that the Local Water Supply Plan entitled, Resolution for Approving Local Water Supply Plan dated May 14, 2019, is hereby approved and shall be submitted to the Department of Environmental Quality, Division of Water Resources; and

BE IT FURTHER RESOLVED that the Roxboro City Council intends that this plan shall be revised to reflect changes in relevant data and projections at least once every five years or as otherwise requested by the Department, in accordance with the statute and sound planning practice.

This the _____ day of _____, 20____.

Marilyn P. Newell, Mayor

Attest:

Trevie Adams, MMC/NCCMC

7. Request for Memorial

Request for Memorial

The City recently received a request from local businesses to install a flag pole at Merritt Commons to honor the memory of Bruce E. Wrenn. Please review the attached request. David Peninger intends to attend the Council Meeting, if there are any further questions.



David Peninger
(919) 730-5802

Travis Peninger
(919) 730-2119

April 26, 2019

City of Roxboro
105 South Lamar Street
PO Box 126
Roxboro, NC 27573

Dear Council members,

Peninger Landscaping, LLC, along with Tommy Lawrence Electrical Contractors and Legacy Building Company, would like to present this request to obtain the city's permission to install a flag pole in the Merritt Commons area of Uptown Roxboro to honor the memory of Bruce E. Wrenn.

Bruce's dedication and passion towards the development and beautification of Roxboro and Person county was made evident from the memberships he held in several local organizations and the never-ending enthusiasm he shared through his involvement within our community. This proposed memorial is meant to be a way to publicly honor and remember his selfless contributions and the love and passion Bruce felt for the people and businesses of Roxboro and Person county.

The scope of work being proposed provides for a 40-foot flag pole, United States flag and up-lighting on the flagpole (please refer to picture attached for example), landscaped area around the pole and a dedication plaque. The cost of materials, labor and installation have been attained by Peninger Landscaping, Tommy Lawrence, and Legacy Building.

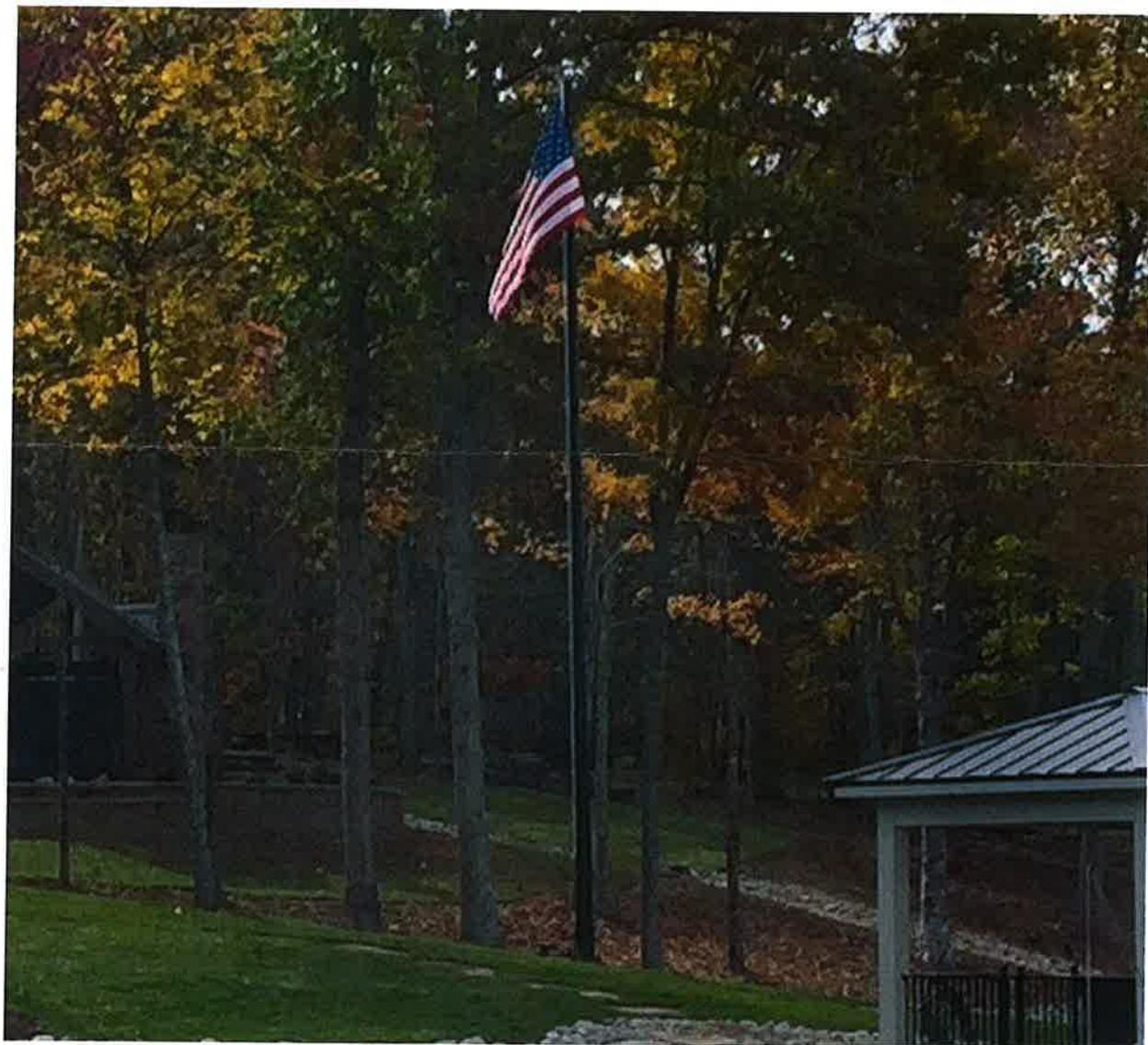
We appreciate the Council's consideration of this proposal and look forward to hearing from you. Please do not hesitate to contact me at (919) 730-5802 if there are any questions or if additional information is needed.

Sincerely,

A handwritten signature in black ink that reads "David Peninger". The signature is stylized and cursive.

David Peninger, Owner
Peninger Landscaping, LLC

P.O. Box 67, Timberlake, NC 27583
peninger.landscaping@yahoo.com



8. Revision of the Dan River Local Agreement

Revision of the Dan River Local Agreement

The following two documents are minor revisions to the standing Interlocal agreement.

The purpose and intent of these minor revisions are to enable the Town of Yanceyville, should they acquire federal funding, to move forward with the construction of the Dan River intake structure while protecting the interests of the City of Roxboro and Person County. These documents have been favorably reviewed by legal counsel and staff.

LAW OFFICES OF

R. LEE FARMER, P.L.L.C.

ATTORNEYS AND COUNSELLORS AT LAW

Law Building - 21 Main Street West - Post Office Box 1600

Yanceyville, NC 27379-1600

Telephone (336) 694-4361 - Facsimile (336) 694-5448

Caswelllaw@comcast.net

R. Lee Farmer **

Of Counsel

Sandra S. Pugh ***

Anita B. Smith, NC Certified Paralegal

Elizabeth M. Farmer, Finance Officer

Coastal Office

19 Ibis Roost

Bald Head Island, NC 28461

* Admitted in NC & DC

*** Admitted in NC

+ Certified by NC Dispute Resolution
Commission as a Trial Court Mediator

April 24, 2019

Mr. Brooks Lockhart
City Manager
City of Roxboro
Post Office Box 128
Roxboro, North Carolina 27573

Re: Dan River Regional Water Project

Dear Brooks:

Pursuant to our recent conference of last week, I have enclosed herein the final modification and side agreements for the above project which have been duly approved and executed by the Town of Yanceyville as of today. The Town has elected not to include the County of Caswell as a party to the agreements since they have no financial or contractual obligations in the project.

I would greatly appreciate if you would have the enclosed items executed by the City of Roxboro and County of Person where indicated as soon as possible. Based on recent discussions with our consultants and funding agencies, the enclosed agreements should be in place before May 15, 2019. If you should have any questions concerning the enclosed items or any other matter, please do not hesitate to contact me.

Yours very truly,



R. Lee Farmer, Town Attorney

RLF/abs

Enclosures: As stated above

cc: Brian S. Collie, Town Manager

**CASWELL COUNTY
NORTH CAROLINA**

**MODIFICATION
AGREEMENT**

THIS MODIFICATION AGREEMENT made and entered into this the 8th day of January, 2019, by and between the TOWN OF YANCEYVILLE, party of the first part (Party A), the CITY OF ROXBORO, party of the second part (Party B), and the COUNTY OF PERSON, party of the third part (Party C);

WITNESSETH

WHEREAS, on the 1st day of July, 2008, the parties entered into a contract relating to the Dan River Regional Water Project (the Contract), which is incorporated herein by reference; and

WHEREAS, the parties have each agreed to modify certain terms and provisions of the aforementioned contract pursuant to clause 18.1 of said contract.

NOW, THEREFORE, it is mutually agreed, that in consideration of the covenants and released hereinafter contained, and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the parties hereto agree, amend and substitute as follows:

Section 1.

- a. Party B is hereby released and discharged from the performance of clause Section 3.1 of the aforementioned contract.
- b. Party A assumes all responsibility and obligation for the performance of clause Section 3.1 of the aforementioned contract.
- c. Party B is hereby released and discharged from the performance of Segment 1 obligations under clause 3.5 of the aforementioned contract.
- d. Party A assumes all responsibility and obligation for the performance of Segment 1 obligations under clause 3.5 of the aforementioned contract.
- e. Party B is hereby released and discharged from the performance of clause Section 3.6 of the aforementioned contract.
- f. Party A assumes all responsibility and obligation for the performance of clause Section 3.6 of the aforementioned contract.
- g. Party B is hereby released and discharged from the performance of Segment 1 construction obligations under clause 3.7 of the aforementioned contract.
- h. Party A assumes all responsibility and obligation for the performance of Segment 1 construction obligations under clause 3.7 of the aforementioned contract.

Section 2.

- a. Parties B and C are hereby released and discharged from all Segment 1 facility present and future title ownership rights and privileges under clause Section 5.2 of the aforementioned contract.
- b. Party A assumes all sole and absolute right, title, interest and ownership to the Segment 1 facility under clause Section 5.2 of the aforementioned contract.

Prepared and Drafted by:
R. Lee Farmer, Attorney at Law

Section 3.

- a. Parties B and C are hereby released and discharged from all Segment 1 facility present and future title ownership rights and privileges under clause Section 6.1 of the aforementioned contract.
- b. Party A assumes all sole and absolute right, title, interest and ownership to the Segment 1 facility under clause Section 6.1 of the aforementioned contract.

Section 4.

- a. Party B is hereby released and discharged from all Segment 1 facility permit or regulatory approval obligations under clause Section 7.1 of the aforementioned contract. Party B further agrees and covenants to assign, grant and transfer all previously obtained permits or approvals to Party A herein.
- b. Party A assumes all Segment 1 permit and regulatory approval responsibility and obligation under clause Section 7.1 of the aforementioned contract.

Section 5.

- a. Parties B and C are hereby released and discharged from all Segment 1 facility construction, permit and financial obligations under clauses Section 10.1 and 10.2, inclusive, of the aforementioned contract.
- b. Party A assumes all Segment 1 construction, permit and financial responsibility and obligations under clauses Section 10.1 and 10.2, inclusive, of the aforementioned contract.

Section 6.

Parties A, B, and C reserve the right and privilege to jointly amend and modify the revenue and raw water allocations of the aforementioned contract subsequent to this modification agreement.

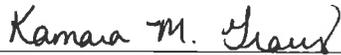
Section 7. Except as hereby modified or amended, the Contract shall continue in full force and effect.

IN WITNESS WHEREOF, the parties hereto have executed this contract in triplicate originals, one of which is retained by each of the parties, the day and year first above written.

TOWN OF YANCEYVILLE

By:  (SEAL)
Alvin W. Foster, Mayor

ATTEST:


Kamara M. Graves, Town Clerk

(TOWN SEAL)



ATTEST:

Trevie Adams, City Clerk

(CITY SEAL)

CITY OF ROXBORO

By: _____ (SEAL)
Merilyn Newell, Mayor

COUNTY OF PERSON

By: _____ (SEAL)
David B. Newell, Sr., Chairman
Board of Commissioners

ATTEST:

Brenda Reaves, Clerk to the Board

(SEAL)

STATE OF NORTH CAROLINA
COUNTY OF CASWELL

I, a Notary Public for said County and State, do hereby certify that on this 24th day of April, 2019, personally appeared before me, ALVIN W. FOSTER, Mayor of the Town of Yanceyville, who is the signer of the foregoing instrument, and acknowledged the due execution thereof.

Witness my hand and official seal, this the 24th day of April, 2019.

My Commission Expires: 9-29-22.
(NOTARY SEAL)

Anita B. Smith
Notary Public

STATE OF NORTH CAROLINA
COUNTY OF PERSON

I, a Notary Public for said County and State, do hereby certify that on this _____ day of _____, 2019, personally appeared before me, Merilyn Newell, Mayor of the City of Roxboro, who is the signer of the foregoing instrument, and acknowledged the due execution thereof.

Witness my hand and official seal, this the _____ day of _____, 2019.

My Commission Expires: _____
(NOTARY SEAL)

Notary Public

STATE OF NORTH CAROLINA
COUNTY OF PERSON

I, a Notary Public for said County and State, do hereby certify that on this _____ day of _____, 2019, personally appeared before me, David B. Newell, Sr., Chairman of the Board of Commissioners of Person County, North Carolina, who is the signer of the foregoing instrument, and acknowledged the due execution thereof.

Witness my hand and official seal, this the _____ day of _____, 2019.

My Commission Expires: _____
(NOTARY SEAL)

Notary Public

9. Financial & Tax Report

City of Roxboro, North Carolina
Financial Statement - Unadjusted
Modified Accrual Basis
For the Nine Months Ended March 31, 2019

	Original Budget	Amended Budget	Actual	Annual Variance Favorable (Unfavorable)	Annual 75.00% Percent of Budget
General Fund (10)					
Ad Valorem Taxes	\$ 4,768,851	\$ 4,768,851	\$ 4,822,299.88	\$ 53,448.88	101.12%
Local Option Sales Tax	1,721,816	1,721,816	1,361,467.55	(360,348.45)	79.07%
Other Taxes and Licenses	12,000	12,000	11,775.00	(225.00)	98.13%
Unrestricted Intergovernmental	973,408	973,408	484,594.47	(488,813.53)	49.78%
Restricted Intergovernmental	637,276	637,396	655,678.78	18,282.78	102.87%
Permits and Fees	7,000	7,000	7,690.00	690.00	109.86%
Sales and Services	667,120	667,120	483,764.31	(183,355.69)	72.52%
Miscellaneous	20,247	38,107	77,959.97	39,852.97	204.58%
Investment Earnings	2,500	2,500	19,307.47	16,807.47	772.30%
Interfund Transfers	1,206,817	1,263,822	743,862.78	(519,959.22)	58.86%
Sale of Fixed Assets	15,000	15,000	6,062.88	(8,937.12)	40.42%
Total Revenues	10,032,035	10,107,020	8,674,463.09	(1,432,556.91)	85.83%
Expenditures:					
Governing Body - City Council	177,805	177,805	196,135.41	(18,330.41)	110.31%
City Hall Administration	544,510	601,515	487,555.25	113,959.75	81.05%
Finance	278,083	278,083	222,222.20	55,860.80	79.91%
Sales Tax	88,100	88,100	79,330.37	8,769.63	90.05%
Tax Collections	64,843	64,843	65,693.37	(850.37)	101.31%
Buildings & Grounds	220,644	395,644	106,177.46	289,466.54	26.84%
Safety / Purchasing	34,275	34,275	9,666.90	24,608.10	28.20%
Police	3,209,292	3,245,042	2,491,726.98	753,315.02	76.79%
Fire	2,218,717	2,220,827	1,644,876.00	575,951.00	74.07%
Emergency Communications 911	95,800	95,800	59,345.31	36,454.69	61.95%
Transportation - Streets	1,836,440	1,836,440	1,069,986.34	766,453.66	58.26%
Environmental Protection	1,142,526	1,142,526	831,718.72	310,807.28	72.80%
Economic Development	399,580	399,580	214,088.30	185,491.70	53.58%
Cultural & Recreational	750	750	-	750.00	0.00%
Debt Service	531,420	531,420	118,104.69	413,315.31	22.22%
Interfund Transfers	75,000	325,000	250,000.00	75,000.00	76.92%
Total Expenditures	10,917,785	11,437,650	7,846,627.30	3,591,022.70	68.60%
Excess of Revenues Over (Under) Expenditures	(885,750)	(1,330,630)	827,835.79	2,158,465.79	
Other Financing Sources					
Proceeds of Capital Lease	488,750	488,750	100,000.00	(388,750.00)	20.46%
Fund Balance Appropriated	397,000	841,880	-	(841,880.00)	0.00%
Total Other Financing Sources	885,750	1,330,630	100,000.00	(1,230,630.00)	7.52%
Excess of Revenues Over (Under) Expenditures	\$ -	\$ -	927,835.79	\$ 927,835.79	
Fund Balance Beginning of Year			4,702,534.97		
Fund Balance Current Period			\$ 5,630,370.76		

**City of Roxboro, North Carolina
Financial Statement - Unadjusted
Modified Accrual Basis
For the Nine Months Ended March 31, 2019**

	Original Budget	Amended Budget	Actual	Annual Variance Favorable (Unfavorable)	75.00% Percent of Budget
Enterprise Funds					
Revenues:					
Water & Sewer Fund 60					
Charges for Services	\$ 5,383,752	\$ 5,383,752	\$ 3,652,635.37	\$ (1,731,116.63)	67.85%
Assessments	-	-	-	-	#DIV/0!
Tapping Fees	20,000	20,000	28,340.00	8,340.00	141.70%
Other Operating Revenues	35,519	35,519	9,748.71	(25,770.29)	27.45%
Nonoperating Revenues	500	500	-	(500.00)	0.00%
Interfund Transfers-MERP	-	-	-	-	
Interfund Transfers	1,082,589	1,096,519	-	(1,096,519.00)	0.00%
Sale of Fixed Assets	15,000	15,000	26,366.00	11,366.00	175.77%
Total Water & Sewer Fund 60	6,537,360	6,551,290	3,717,090.08	(2,834,199.92)	56.74%
Triple Tier Fund 61					
Operating Revenues	6,965	6,965	4,165.64	(2,799.36)	59.81%
Nonoperating Revenues	100	100	119.02	19.02	119.02%
Rural Center Engineering Grant	-	-	-	-	#DIV/0!
Capital Reserve Fund 69					
Operating Revenues	742,040	742,040	562,286.04	(179,753.96)	75.78%
Nonoperating Revenues	1,500	1,500	5,550.87	4,050.87	370.06%
Interfund Transfers	-	-	-	-	#DIV/0!
Total Revenues	7,287,965	7,301,895	4,289,211.65	(3,012,683.35)	58.74%
Expenditures:					
Public Utilities: Administration	-	-	-	-	#VALUE!
Sales Tax	-	-	-	-	#DIV/0!
Billing & Collection	131,911	131,921	112,586.09	19,334.91	85.34%
Meter Section	258,720	258,720	189,241.60	69,478.40	73.15%
Raw Water Supply	62,813	66,973	50,970.75	16,002.25	76.11%
Water Plant	1,568,915	1,569,385	1,133,956.89	435,428.11	72.25%
Water Maint and Construction	838,830	847,755	467,229.46	380,525.54	55.11%
Wastewater Plant II	149,664	149,664	79,553.50	70,110.50	53.15%
Wastewater Plant	1,163,705	1,164,070	868,548.04	295,521.96	74.61%
Pump Stations	337,268	337,268	233,437.37	103,830.63	69.21%
Wastewater Maint & Construction	593,506	593,506	352,321.72	241,184.28	59.36%
Debt Service	479,487	479,487	470,824.08	8,662.92	98.19%
Interfund Transfers-MERP	-	-	-	-	
Interfund Transfers	1,271,817	1,271,817	743,862.78	527,954.22	58.49%
Total Water & Sewer Fund 60	6,856,636	6,870,566	4,702,532.28	2,168,033.72	68.44%
Triple Tier Fund 61	7,065	7,065	-	7,065.00	0.00%
Capital Reserve Fund 69	743,540	743,540	-	743,540.00	0.00%
Total Expenditures	7,607,241	7,621,171	4,702,532.28	2,918,638.72	61.70%
Excess of Revenues Over (Under) Expenditures	(319,276)	(319,276)	(413,320.63)	(94,044.63)	
Other Financing Sources					
Proceeds of Capital Lease	319,276	319,276	-	(319,276.00)	0.00%
Interfund Transfers 61 TT	-	-	-	-	#DIV/0!
Fund Balance Appropriated 60 WS	-	-	-	-	#DIV/0!
Fund Balance Appropriated 61 TT	-	-	-	-	#DIV/0!
Fund Balance Appropriated 69 CR	-	-	-	-	#DIV/0!
Total Other Financing Sources	319,276	319,276	-	(319,276.00)	0.00%
Excess of Revenues Over (Under) Expenditures	\$ -	\$ -	(413,320.63)	\$ (413,320.63)	
Fund Balance Beginning of Year			2,262,190.12		
Fund Balance Current Period			\$ 1,848,869.49		

City of Roxboro, North Carolina
Financial Statement - Unadjusted
Modified Accrual Basis
For the Nine Months Ended March 31, 2019

	Original Budget	Amended Budget	Actual	Annual Variance Favorable (Unfavorable)	75.00% Percent of Budget
<u>Central Depository</u>					
Cash		11100000	2,150,170.11		
BB&T MMA		11100001	128,356.27		
NCCMT		11100002	3,910,620.62		
Flexible Spending Account AFLAC		11100003	10,621.85		
Roxboro Savings Bank		11100004	521,142.65		
Gateway Bank MMA Finistar		11100005	-		
CD's		11130000	-		

Total Cash and Investments			\$ 6,720,911.50		\$6,720,911.50
<u>Breakdown by Fund:</u>					
General		10	\$ 4,915,142.65		
CDBG-Revolving Loan Fund		13	63,438.29		
Old Durham Road Project Fund		20	359.95		
Vehicle Special Revenue		26	4,840.79		
Ridge Road Capital Project		30	-		
Stormwater Capital Fund		50	190,504.32		
Enterprise		60	(738,156.86)		
Triple Tier Water		61	4,158.59		
Capital Reserve		69	2,187,402.90		
Wastewater Plant Capital Project		71	7,460.00		
Annexation Area Capital Project		73	-		
Christmas Club / Flex Fund		75	10,621.85		
LEO Pension Trust Fund		79	75,139.02		
Reserve for Interest Earned			-		

Total of Fund's Cash and Investments			\$ 6,720,911.50		\$6,720,911.50

City of Roxboro, North Carolina
Fund Balance
General Fund
As of March 31, 2019

	General Fund			
	31-Mar-19 Fund Balances	Percentage of Total Fund Balance	Percentage of Fiscal Year 2019 Budget	Percentage of Prior Year Actual Expenditures
Fund Balances				
Reserved				
Reserved for inventories	\$ 45,118	0.80%	0.39%	0.44%
Reserved by state statute	653,781	11.61%	5.72%	6.33%
Reserved for streets - Powell Bill	287,458	5.11%	2.51%	2.78%
Reserved for cemetery	30,269	0.54%	0.26%	0.29%
Reserved for drug enforcement	-	0.00%	0.00%	0.00%
Reserved for public safety	<u>134,988</u>	<u>2.40%</u>	<u>1.18%</u>	<u>1.31%</u>
Total fund balance reserved	<u>1,151,614</u>	<u>20.45%</u>	<u>10.07%</u>	<u>11.14%</u>
Unreserved				
Designated by Council	-	0.00%	0.00%	0.00%
Designated for subsequent year's expenditures	-	0.00%	0.00%	0.00%
Undesignated	<u>4,478,757</u>	<u>79.55%</u>	<u>39.16%</u>	<u>43.34%</u>
Total fund balance unreserved	<u>4,478,757</u>	<u>79.55%</u>	<u>39.16%</u>	<u>43.34%</u>
Total equity and other credits	<u>\$ 5,630,371</u>	<u>100.00%</u>	<u>49.23%</u>	<u>54.49%</u>
Budget Ordinance for June 30, 2019, as Amended			\$ 11,437,650	
Prior Year Expenditures				\$ 10,333,189

City of Roxboro, North Carolina
Fund Balance
Enterprise Fund
As of March 31, 2019

	Enterprise Fund			
	31-Mar-19 Fund Balances	Percentage of Total Fund Balance	Percentage of Fiscal Year 2019 Budget	Percentage of Prior Year Actual Expenditures
Fund Balances				
Reserved				
Reserved for encumbrances	\$ 14,267	0.77%	0.25%	0.28%
Reserved by state statute	422,861	22.87%	7.55%	8.26%
Reserved for capital outlay (C89 + C91)	<u>1,784,478</u>	<u>96.52%</u>	<u>31.87%</u>	<u>34.85%</u>
Total fund balance reserved	2,221,606	120.16%	39.68%	43.39%
Unreserved				
Designated for subsequent year's expenditures	-	0.00%	0.00%	0.00%
Undesignated	<u>(372,737)</u>	<u>-20.16%</u>	<u>-6.66%</u>	<u>-7.28%</u>
Total fund balance unreserved	<u>(372,737)</u>	<u>-20.16%</u>	<u>-6.66%</u>	<u>-7.28%</u>
Total equity and other credits	<u>\$ 1,848,869</u>	<u>100.00%</u>	<u>33.02%</u>	<u>36.11%</u>
Budget Ordinance for June 30, 2019, as Amended			\$ 5,598,749	
Prior Year Expenditures			\$ 5,120,360	

**City of Roxboro
Tax Collection Report
For the Month Ended
30-Apr-19**

	2018 Tax Levy	2017 Tax Levy	2016 Tax Levy
Original Levy	\$ 4,229,715.40	\$ 4,350,663.68	\$ 4,342,813.89
Motor Vehicles Added to Levy	0.00	0.00	0.00
Motor Vehicles Added to Levy-DMV	479,546.34	499,691.97	493,114.72
Public Utilities	-	-	-
Adjusted Original Levy	4,709,261.74	4,850,355.65	4,835,928.61
+Discoveries	182,028.95	106,561.33	123,960.93
Levy	4,891,290.69	4,956,916.98	4,959,889.54
-Releases	6,648.90	11,095.95	6,004.54
Current Levy	4,884,641.79	4,945,821.03	4,953,885.00
Collection year-to-date	\$ 4,792,575.94	\$ 4,903,313.83	\$ 4,931,727.68
Uncollected	\$ 92,065.85	\$ 42,507.20	\$ 22,157.32
Collection % of Current Levy	98.12%	99.14%	99.55%
Property Tax Rate Per \$100	\$ 0.670	\$ 0.670	\$ 0.670

10. Assistant City Manager's Report

Assistant City Manger's Report

Crosswalk on South Main Street – The crosswalk has been installed on South Main Street. The crosswalk was approved by City Council several months ago. The purpose of the crosswalk is to improve pedestrian safety around the library.



All-way Stop at Crestwood and Gordon Streets – Stop signs were installed and stop bars were painted the week of May 6-10th. The stop signs have been bagged. The Police Department is conducting a public information program about the new traffic pattern prior to the all-way stop being placed into use.

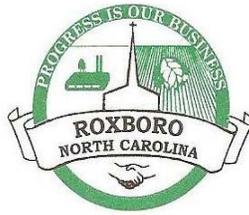
Wastewater Treatment Plant Upgrade- Work continues on the oxidation ditch as the contractor is pouring wall sections. There will be a total of 25 concrete pours for the walls. The floor has been poured for the office/lab building. The masons have started work on the block walls for the office/lab. In addition, underground pipe work continues.

Public Services Wash Bay – The new wash bay is under construction at Public Services. The concrete structure will replace the existing wash bay. The old wash bay will be used for equipment storage.



NCDOT Sidewalk Work – NCDOT is replacing the handicapped ramps on the sidewalks along NCDOT streets in the City. They are currently working on Reams Ave and Chub Lake Street.

11. Manager's Report



City of Roxboro

MEMORANDUM

TO: Mayor Newell and City Council
FROM: Brooks Lockhart
SUBJECT: Manager's Report
DATE: May 14th, 2019

- Please take note of several upcoming dates.
 - Safety Awards Banquet, Thursday May 30th at Homestead Steakhouse
 - Open Enrollment at City Hall on May 21st and 22nd
 - Budget Work Session #2, 6pm Tuesday May 21st at City Hall
 - Budget Work Session #3, 6:30pm Tuesday May 28th at City Hall
 - City Council Meeting, 7pm Tuesday June 11th at City Hall
- Utility Billing Staff has noticed an increase in point of sale customers on the 15th of the month. Staff has begun an analysis to uncover a root cause for the increased foot traffic and to develop potential enhancements to our business model to decrease customer wait times. More information will follow in the upcoming months.
- Finance Officer Craig and Manger Lockhart are planning to meet with our auditing firm to discuss the timeliness of the upcoming Audit. Assuming our conversation is well received, this year will be the third year under contract with Petway, Mills, Pearson and we will execute the contract at the June Meeting. Our most recent audit was delayed due to transitions of staff at the auditing firm, which was shared by the auditing firm with the LGC. Federal Funding agencies require us to submit our annual audit for their files and delayed audits can impact our abilities to apply for funding.
- At this point all of Council should have a copy of the Draft Budget. Staff is continuing to work on analysis for residential curbside recycling and video capabilities for the Council Chambers. Those items are not included in the draft budget at this time but will be a part of conversation at our upcoming meetings. If any Council member has a question regarding the budget prior to our 21st and 28th meetings, please give Manager Lockhart a call or visit.